

of the 44-hour week in the Postal Service; to the Committee on the Post Office and Post Roads.

7747. Also, petition of certain citizens of Woodward County, Okla., urging enactment of legislation providing for payment of World War veterans' adjusted service certificates in cash; to the Committee on Ways and Means.

7748. Also, petition of the Norfolk and Portsmouth Cotton Exchange, in regard to conditions in the cotton industry; to the Committee on Agriculture.

7749. By Mr. GRIFFIN: Resolution of the Retail Dry Goods Association of New York City, protesting against increase in first-class postal rates; to the Committee on the Post Office and Post Roads.

7750. By Mr. O'CONNELL: Petition of the Retail Dry Goods Association of New York, opposing increased postal rates; to the Committee on the Post Office and Post Roads.

7751. Also, petition of the Chamber of Commerce of the State of New York, with reference to the Soviet Government of Russia; to the Committee on Foreign Affairs.

7752. Also, petition of the National Retail Dry Goods Association of New York, opposing increased postal rates; to the Committee on the Post Office and Post Roads.

7753. Also, petition of the St. John Letter Co. (Inc.), of New York City, opposing increased postal rates; to the Committee on the Post Office and Post Roads.

7754. By Mr. O'CONNOR of New York: Resolutions of the Retail Dry Goods Association of New York, in opposition to increase in postal rates; to the Committee on the Post Office and Post Roads.

7755. By Mr. O'CONNOR of Oklahoma: Petition of Fraternal Order of Eagles, of Collinsville, Okla., concerning unemployment in the United States; to the Committee on Labor.

SENATE

WEDNESDAY, DECEMBER 3, 1930

The Chaplain, Rev. ZeBarney T. Phillips, D. D., delivered the following prayer:

Almighty God, who hast given the dawn its inalienable glory, midnight its quenchless stars, noonday its potentialities, and the westering sun its vesper hymn, speak to these hearts of ours, woven as they are of human joys and cares, washed with sorrow, swift to mirth, like waters blown by changing winds to laughter, that dawn and sunset and all colors of the earth may yield to us their richest store through the kindness of the years. Light Thou our way with flaming love along the viewless streams that bear us down the dark of life, that we may beacon the world's night and set to pulsing music the unthinking silence that men call death.

*So in the hush of this our tryst with Thee
Speak to our hearts, dear Lord, and set them free.*

Amen.

ROBERT M. LA FOLLETTE, Jr., a Senator from the State of Wisconsin, appeared in his seat to-day.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. Fess and by unanimous consent, the further reading was dispensed with and the Journal was approved.

SENATOR FROM NEW JERSEY

The VICE PRESIDENT. The Chair lays before the Senate a privileged communication relative to the Senator elect from New Jersey, which will be read.

The Chief Clerk read as follows:

THE STATE OF NEW JERSEY.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 4th day of November, 1930, DWIGHT W. MORROW was duly chosen by the qualified electors of the State of New Jersey a Senator from said State, to represent said State in the Senate of the United States for the unexpired term of Hon. Walter E. Edge.

Witness his excellency our governor, Arthur N. Pierson, president of the senate, and our seal hereto affixed at Trenton, this 2d day of December, in the year of our Lord 1930.

ARTHUR N. PIERSON,
President of the Senate, Acting Governor.

By the governor:

[SEAL.]

JOSEPH F. S. FITZPATRICK,
Secretary of State.

Mr. KEAN. Mr. President, Mr. MORROW is present and ready to take the oath.

The VICE PRESIDENT. The credentials will be placed on file. The Senator elect will come forward and be sworn.

Mr. MORROW, escorted by Mr. KEAN, advanced to the Vice President's desk; and, the oath prescribed by law having been administered to him by the Vice President, he took his seat in the Senate.

THE BUDGET

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read and, with the accompanying report, referred to the Committee on Appropriations.

(For the message of the President see page 129 of the proceedings of the House of this day.)

REPORT OF SENATE OFFICE BUILDING COMMISSION

The VICE PRESIDENT laid before the Senate a communication from the secretary of the Senate Office Building Commission transmitting a report relative to bids for the work covered by plans and drawings for the new Delaware Avenue and C Street entrance to the Senate Office Building, which was referred to the Committee on Public Buildings and Grounds.

REPORT OF THE DIRECTOR OF THE BOTANIC GARDEN

The VICE PRESIDENT laid before the Senate a communication from the Director of the United States Botanic Garden transmitting pursuant to law, a statement relative to travel from Washington to points outside the District of Columbia in connection with official business of the office during the fiscal year ended June 30, 1930, which was referred to the Committee on the Library.

NOBEL PEACE PRIZE FOR 1931

The VICE PRESIDENT laid before the Senate a communication from the Assistant Secretary of State, transmitting copy of a circular issued by the Nobel Committee of the Norwegian Parliament furnishing information regarding the proposals of candidates for the Nobel peace prize for the year 1931, which, with the accompanying paper, was ordered to lie on the table.

USELESS PAPERS IN THE TREASURY DEPARTMENT

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, a report of papers and documents on the files of the Treasury Department which are not needed or useful in the transaction of the current business of the department and have no permanent value or historical interest, which, with the accompanying report, was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. SMOOT and Mr. SIMMONS members of the committee on the part of the Senate.

CIVIL-SERVICE APPOINTEES (S. DOC. NO. 224)

The VICE PRESIDENT laid before the Senate a communication from the secretary of the United States Civil Service Commission, transmitting, in response to Senate Resolution No. 285, a list of the names of employees in the classified service appointed between November 11, 1918, and June 9, 1920, inclusive, in the District of Columbia from the States of Vermont, Maryland, Virginia, and the District of Columbia, whose quotas are in excess of their apportionment, which, with the accompanying papers, on motion of Mr. HEFLIN, was referred to the Committee on Civil Service and ordered to be printed.

JUDGMENTS OF COURT OF CLAIMS (S. DOC. NO. 221)

The VICE PRESIDENT laid before the Senate a communication from the chief clerk of the Court of Claims,

transmitting, pursuant to law, a statement of judgments rendered by the Court of Claims for the year ended November 29, 1930, the amount thereof, the parties in whose favor rendered, and a brief synopsis of the nature of the claims, which, with the accompanying statement, was referred to the Committee on Appropriations and ordered to be printed.

SALE OF SURPLUS HYDROELECTRIC POWER AT WILSON DAM
(S. DOC. NO. 222)

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to Senate Resolution 307, agreed to June 28, 1930, photostatic copies of the letters which constitute the contract under which surplus hydroelectric power generated at Wilson Dam, Muscle Shoals, Ala., is being sold to the Alabama Power Co., which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

REPORT OF THE NATIONAL FOREST RESERVATION COMMISSION
(S. DOC. NO. 223)

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, president of the National Forest Reservation Commission, transmitting, pursuant to law, the report of the commission for the fiscal year ended June 30, 1930, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry and ordered to be printed with illustrations.

REPORT OF BOARD FOR PROMOTION OF RIFLE PRACTICE

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, the annual report of the activities of the National Board for the Promotion of Rifle Practice, which, with the accompanying report, was referred to the Committee on Military Affairs.

REPORT OF GORGAS MEMORIAL INSTITUTE

The VICE PRESIDENT laid before the Senate a joint communication from the chairman and president, respectively, of the Gorgas Memorial Institute of Tropical and Preventive Medicine (Inc.), transmitting, pursuant to law, a report covering the activities of the Gorgas Memorial Laboratory in Panama, together with a statement of receipts and disbursements for the year ended October 31, 1930, which, with the accompanying report, was referred to the Committee on Inter-oceanic Canals.

PORTO RICAN HURRICANE RELIEF COMMISSION

The VICE PRESIDENT laid before the Senate the second annual report of the Porto Rican Hurricane Relief Commission, transmitting, pursuant to law, a report of its activities for the year ended September 30, 1930, which was referred to the Committee on Territories and Insular Affairs.

PURCHASE OF AIRCRAFT FOR NAVY DEPARTMENT

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting, pursuant to law, a report of designs, aircraft, aircraft parts, and aeronautical accessories purchased by the Navy Department during the fiscal year ended June 30, 1930, the prices paid therefor and the reasons for the award in each case, which, with the accompanying report, was referred to the Committee on Naval Affairs.

REPORTS OF ATTORNEY GENERAL

The VICE PRESIDENT laid before the Senate certain communications from the Attorney General of the United States, transmitting, pursuant to law, the following reports, which were referred to the Committee on the Judiciary:

The annual report of the Department of Justice for the fiscal year ended June 30, 1930;

A report showing suits arising under the public vessels act of March 3, 1925, in which final decrees were entered, exclusive of cases on appeal; and

A report showing suits arising under the act of March 9, 1920, authorizing suits against the United States in admiralty involving merchant vessels, in which final decrees were entered against the United States, exclusive of cases on appeal.

EXPENDITURES OF COURT OF CUSTOMS AND PATENT APPEALS

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, pursuant to law, a statement of expenditures under appropriations for the United States Court of Customs and Patent Appeals for the fiscal year ended June 30, 1930, which, with the accompanying statement, was referred to the Committee on the Judiciary.

USELESS PAPERS IN POST OFFICE DEPARTMENT

The VICE PRESIDENT laid before the Senate a communication from the Postmaster General, transmitting, pursuant to law, a report relative to papers and documents in the Post Office Department which are not needed or useful in the transaction of the current business of the department, and have no permanent value or historical interest, which, with the accompanying report, was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. PHIPPS and Mr. McKELLAR members of the committee on the part of the Senate.

BITTER ROOT IRRIGATION PROJECT, MONTANA

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report concerning the development work in connection with the Bitter Root irrigation project in Montana, which was referred to the Committee on Irrigation and Reclamation.

REPORT OF WAR MINERALS RELIEF COMMISSION

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of the operations of the War Minerals Relief Commission, including receipts and disbursements, for the year ended November 30, 1930, which, with the accompanying report, was referred to the Committee on Mines and Mining.

COST REPORT ON INDIAN IRRIGATION PROJECTS

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting pursuant to law, a report showing the cost and other data with respect to Indian irrigation projects as compiled to the end of the fiscal year ended June 30, 1930, which, with the accompanying report, was referred to the Committee on Indian Affairs.

EXPENDITURES OF FIVE CIVILIZED TRIBES

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of expenditures for the Five Civilized Tribes from the appropriation "Support of Indians and administration of Indian property, 1930," which, with the accompanying report, was referred to the Committee on Indian Affairs.

EXPENDITURES ON TRIBAL AND ALLOTTED INDIAN LANDS

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement of expenditures by the Geological Survey on tribal and allotted Indian lands during the fiscal year ended June 30, 1930, which, with the accompanying paper, was referred to the Committee on Indian Affairs.

REPORT OF ST. ELIZABETHS HOSPITAL

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, together with a copy of a communication from the Superintendent of St. Elizabeths Hospital, transmitting, pursuant to law, a report of the detailed receipts and expenditures connected with the hospital for the fiscal year ended June 30, 1930, which, with the accompanying report, was referred to the Committee on the District of Columbia.

USELESS PAPERS IN INTERIOR DEPARTMENT

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of papers in the files of the Interior Department which are not needed or useful in the transac-

tion of the current business of the department and have no permanent value or historical interest, which, with the accompanying report, was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. NYE and Mr. PITTMAN members of the committee on the part of the Senate.

REPORT OF THE TARIFF COMMISSION

The VICE PRESIDENT laid before the Senate the Fourteenth Annual Report of the United States Tariff Commission, transmitted, pursuant to law, for the fiscal year ended June 30, 1930; which was referred to the Committee on Finance.

ANNUAL REPORT OF THE COMPTROLLER GENERAL

The VICE PRESIDENT laid before the Senate a communication from the Comptroller General of the United States, transmitting, pursuant to law, his annual report for the fiscal year 1930, which, with the accompanying report, was referred to the Committee on Appropriations.

PAYMENT OF FEDERAL MONEYS TO STATES AND TERRITORIES

The VICE PRESIDENT laid before the Senate a communication from the Comptroller General of the United States, transmitting, pursuant to law, his recommendation for the enactment of legislation for the simplification of procedure for the payment of Federal moneys to States and Territories, which, with the accompanying communication, was referred to the Committee on Appropriations.

RETURNS OF FEDERAL CONTRACTS

The VICE PRESIDENT laid before the Senate a communication from the Comptroller General of the United States, transmitting, pursuant to law, his recommendation for the enactment of legislation in the matter of the returns, audit, and filing of Federal contracts, which, with the accompanying communication, was referred to the Committee on Appropriations.

CLAIMS AGAINST THE UNITED STATES

The VICE PRESIDENT laid before the Senate communications from the Comptroller General of the United States, transmitting, pursuant to law, reports and recommendations concerning claims against the United States presented by the following persons and companies: David Gordon Building & Construction Co., Howard Dimick, Mildred N. O'Lone, C. O. Smith, National Dry Dock & Repair Co. (Inc.), Sun Shipbuilding & Dry Dock Co., B. & O. Manufacturing Co., and T. Morris White, which were referred to the Committee on Claims.

HEALING ARTS PRACTICE IN DISTRICT OF COLUMBIA

The VICE PRESIDENT laid before the Senate the annual report of the Commission on Licensure healing arts practice act, District of Columbia, for the fiscal year ended June 30, 1930, which was referred to the Committee on the District of Columbia.

SETTLEMENT OF SHIPPING BOARD CLAIMS

The VICE PRESIDENT laid before the Senate a communication from the chairman of the United States Shipping Board, transmitting, pursuant to law, a report of claims arbitrated or settled by agreement from October 16, 1929, to October 15, 1930, by the United States Shipping Board and/or United States Shipping Board Merchant Fleet Corporation, which, with the accompanying report, was referred to the Committee on Commerce.

REPORT OF DAUGHTERS OF AMERICAN REVOLUTION

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Smithsonian Institution, transmitting, pursuant to law, the annual report of the National Society of the Daughters of the American Revolution for the year ended April 1, 1930, which, with the accompanying report, was referred to the Committee on Printing.

RULES OF THE STEAMBOAT INSPECTION SERVICE

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Commerce, transmitting, pursuant to law, a complete set of general rules and regu-

lations prescribed by the Board of Supervising Inspectors, Steamboat Inspection Service, at the meeting of January, 1930, which regulations have been approved by the Secretary of Commerce, which, with the accompanying documents, were referred to the Committee on Commerce.

REPORT OF BOARD OF MEDIATION

The VICE PRESIDENT laid before the Senate a communication from the chairman of the United States Board of Mediation, transmitting, pursuant to law, the annual report of the board for the fiscal year ended June 30, 1930, which, with the accompanying report, was referred to the Committee on Interstate Commerce.

REPORT OF DIRECTOR OF VETERANS' BUREAU

The VICE PRESIDENT laid before the Senate a communication from the Director of the United States Veterans' Bureau, transmitting, pursuant to law, the annual report of the director of the bureau for the fiscal year ended June 30, 1930, which, with the accompanying report, was referred to the Committee on Finance.

REPORT OF FEDERAL RADIO COMMISSION

The VICE PRESIDENT laid before the Senate a communication from the chairman of the Federal Radio Commission, transmitting, pursuant to law, the report of the commission for the fiscal year ended June 30, 1930, which, with the accompanying report, was referred to the Committee on Interstate Commerce.

REPORT OF EMPLOYEES' COMPENSATION COMMISSION

The VICE PRESIDENT laid before the Senate the Fourteenth Annual Report of the United States Employees' Compensation Commission, transmitted, pursuant to law, for the fiscal year ended June 30, 1930, which was referred to the Committee on Education and Labor.

REPORT OF COMMISSIONERS OF THE DISTRICT OF COLUMBIA

The VICE PRESIDENT laid before the Senate the annual report of the Commissioners of the District of Columbia, transmitted, pursuant to law, for the fiscal year ended June 30, 1930, which was referred to the Committee on the District of Columbia.

ANNUAL REPORT OF PUBLIC UTILITIES COMMISSION

The VICE PRESIDENT laid before the Senate a communication from the chairman of the Public Utilities Commission of the District of Columbia, transmitting, pursuant to law, a report of the official proceedings of the commission for the year ended December 31, 1929, with other information relating to the regulation and operation of the public utilities in the District of Columbia coming under the jurisdiction of said commission, which, with the accompanying report, was referred to the Committee on the District of Columbia.

CREDENTIALS

The VICE PRESIDENT laid before the Senate the credentials of DWIGHT W. MORROW, chosen a Senator from the State of New Jersey for the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of MATTHEW M. NEELY, chosen a Senator from the State of West Virginia for the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of GEORGE W. NORRIS, chosen a Senator from the State of Nebraska for the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of BYRON P. HARRISON, chosen a Senator from the State of Mississippi for the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of L. J. DICKINSON, chosen a Senator from the State of Iowa for the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of THOMAS D. SCHALL, chosen a Senator from the State of Minnesota

for the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of Joseph T. ROBINSON, chosen a Senator from the State of Arkansas for the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of JOHN H. BANKHEAD, chosen a Senator from the State of Alabama for the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of SAM G. BRATTON, chosen a Senator from the State of New Mexico for the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

He also laid before the Senate the credentials of DANIEL O. HASTINGS, chosen a Senator from the State of Delaware for the term commencing on the 4th day of March, 1931, which were read and ordered to be placed on file.

RESOLUTION IN THE NEWBERRY CASE

Mr. BLACK. Mr. President, I send to the desk Senate Resolution 172, passed by the Senate in the Sixty-eighth Congress, and ask that it be read. It is very short.

The VICE PRESIDENT. Is there objection?

Mr. McNARY. Under what order of business are we proceeding?

The VICE PRESIDENT. The presentation of petitions and memorials.

Mr. McNARY. I think the reading of the resolution should come at a later time.

Mr. BLACK. It is a very short resolution which was passed by the Senate in the Sixty-eighth Congress and which I desire to have read.

The VICE PRESIDENT. Is there objection? The Chair hears none. The clerk will read, as requested.

The Chief Clerk read as follows:

Resolved, (1) That the contest of Henry Ford against Truman H. Newberry be, and it is hereby, dismissed.

(2) That Truman H. Newberry is hereby declared to be a duly elected Senator from the State of Michigan for the term of six years commencing on the 4th day of March, 1919, and is entitled to hold his seat in the Senate of the United States.

(3) That whether the amount expended in this primary was \$195,000, as was fully reported or openly acknowledged, or whether there were some few thousand dollars in excess, the amount expended was in either case too large, much larger than ought to have been expended.

The expenditure of such excessive sums in behalf of a candidate, either with or without his knowledge and consent, being contrary to sound public policy, harmful to the honor and dignity of the Senate, and dangerous to the perpetuity of a free government, such excessive expenditures are hereby severely condemned and disapproved.

PETITIONS AND MEMORIALS

Mr. BROOKHART presented a petition of sundry ex-service men of Council Bluffs, Iowa, praying for the payment of ex-service men's adjusted compensation certificates, which was referred to the Committee on Finance.

Mr. JONES presented petitions from aeries of the Fraternal Order of Eagles in the State of Washington, praying for the passage of legislation creating a Federal industrial commission, which were referred to the Committee on Education and Labor.

Mr. WALCOTT presented a resolution adopted by the executive committee of the Society of the War of 1812 in the State of Connecticut, and a petition from the Veterans of Foreign Wars, Department of Connecticut, favoring the passage of legislation making the Star-Spangled Banner the national anthem, which were referred to the Committee on the Library.

He also presented a resolution adopted by the Board of Public Utilities Commissioners of the State of Connecticut opposing the passage of Senate bill 6, providing for the appointment of a new Federal commission with regulatory jurisdiction over communication and power utilities, etc., which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the Woman's Christian Temperance Union of Norwich, Conn., favoring the passage of legislation for the Federal supervision of

motion pictures and establishing higher standards for the production of films that are to be licensed in interstate and international commerce, which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the executive committee of the Society of the War of 1812, protesting against the use of any building, either in or contiguous to Fort McHenry, as a prison and favoring the preservation of Fort McHenry as a national shrine by protecting it against private or official profanation and desecration, which was referred to the Committee on the Judiciary.

He also presented the petition of the National Association of Letter Carriers, Branch No. 60, of Stamford, Conn., praying for the passage of the so-called Kendall shorter week bill (H. R. 6603), which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions numerously signed by sundry citizens of the State of Connecticut, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

EXECUTIVE MESSAGES

Sundry messages from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

LAKE OKEECHOBEE AND THE CALOOSAHATCHEE RIVER, FLA.
(S. DOC. NO. 225)

Mr. FLETCHER. Mr. President, I renew my request to have printed as a public document the report on Lake Okeechobee and the Caloosahatchee River in Florida with special reference to navigation and flood control. It is a report to the United States District Engineer, Jacksonville, Fla., in connection with a review of reports published in House Document No. 215, Seventieth Congress, first session, Senate Document No. 213, Seventieth Congress, second session.

Mr. SMOOT. Mr. President, I objected yesterday to the request of the Senator from Florida, but I have examined the report submitted. It is not anything that is of general interest throughout the entire United States. Ordinarily I would object to the printing of any such document, but the Senator assures me that at some time or some day it will be a matter of general interest to the United States, and for that reason I will withdraw my objection. I wish to give notice, however, that hereafter requests of this kind offered for printing will meet with objection from me.

Mr. FLETCHER. Included in the request is the printing of the illustrations.

The VICE PRESIDENT. Without objection, it is so ordered.

ESTATE OF NAPOLEON B. HEARN

Mr. DENEEN, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported favorably without amendment the Senate Concurrent Resolution (S. Con. Res. 34) submitted by Mr. TOWNSEND on the 2d instant, which was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there shall be paid out of the contingent funds of the Senate and House of Representatives to the Sussex Trust Co., executor under the will of Napoleon B. Hearn, late an employee of the Capitol police, a sum equal to six months of his compensation as such employee, one-half of said sum to be paid by the Senate and one-half by the House, and an additional amount, not exceeding \$250, to defray the funeral expenses of said Napoleon B. Hearn, shall be paid by the House.

LOUISE C. THORNTON

Mr. DENEEN, from the same committee, reported favorably without amendment the resolution (S. Res. 337) submitted by Mr. HEFLIN on the 2d instant, which was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1930, to Louise C. Thornton, widow of James L. Thornton, late clerk to Senator J. THOMAS HEFLIN, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

REAL-ESTATE TRANSACTIONS IN THE DISTRICT

Mr. DENEEN, from the same committee, reported favorably without amendment the resolution (S. Res. 339) submitted by Mr. BROOKHART on the 2d instant, which was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on the District of Columbia or subcommittee thereof investigating security, mortgage, and real-estate transactions and laws under authority of Resolution No. 58, agreed to June 4, 1929, hereby is authorized to expend \$7,500 from the contingent fund of the Senate in addition to the amount heretofore authorized for said purpose.

EMPLOYMENT OF LABORER

Mr. DENEEN, from the same committee, reported favorably without amendment the resolution (S. Res. 340) submitted by Mr. WATSON on the 2d instant, which was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate is authorized and directed to employ a laborer to be paid at the rate of \$1,440 per annum out of the contingent fund of the Senate until otherwise provided by law.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHEPPARD:

A bill (S. 5006) to extend the time for the construction of the bridge across the Rio Grande at or near Rio Grande City, Tex.; and

A bill (S. 5007) to extend the time for the construction of the bridge across the Rio Grande at or near San Benito, Tex.; to the Committee on Commerce.

A bill (S. 5008) for the relief of Clarence E. Fore; to the Committee on Military Affairs.

A bill (S. 5009) granting a pension to L. Avant;

A bill (S. 5010) granting a pension to George Hammer; and

A bill (S. 5011) granting a pension to David B. Patterson; to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 5012) granting a pension to Lucien N. Patterson (with accompanying papers); and

A bill (S. 5013) granting a pension to Daisy Ballard (with an accompanying paper); to the Committee on Pensions.

A bill (S. 5014) for the relief of Fannie Gregory (with accompanying papers); to the Committee on Claims.

By Mr. JOHNSON:

A bill (S. 5015) granting a pension to Ronald S. Niven; and

A bill (S. 5016) granting a pension to John Joseph Barry; to the Committee on Pensions.

A bill (S. 5017) for the relief of Andrew M. Dunlop; and

A bill (S. 5018) granting compensation to Mary I. Latta; to the Committee on Claims.

By Mr. ODDIE:

A bill (S. 5019) to amend the act entitled "An act to amend the act entitled 'An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes,' approved July 11, 1916, as amended and supplemented, and for other purposes," approved June 24, 1930, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. DAVIS:

A bill (S. 5020) to empower the Government to write into the specifications and contracts the compensation to be paid to laborers and mechanics employed by contractors and subcontractors on public works of the United States and of the District of Columbia; to the Committee on Manufactures.

By Mr. NORRIS:

A bill (S. 5021) to expedite the construction of public buildings and works outside of the District of Columbia by enabling possession and title of sites to be taken in advance of final judgment in proceedings for the acquisition thereof under the power of eminent domain; to the Committee on Public Buildings and Grounds.

(By request.) A bill (S. 5022) to amend section 229 of the Judicial Code;

(By request.) A bill (S. 5023) to make permanent certain temporary judgeships;

(By request.) A bill (S. 5024) to amend the act providing for the annual conference of senior circuit judges; and

(By request.) A bill (S. 5025) to amend section 126 of the Judicial Code, as amended; to the Committee on the Judiciary.

A bill (S. 5026) to amend section 6 of the Federal Trade Commission act, as amended; and

A bill (S. 5027) to amend section 6 of the Federal Trade Commission act, as amended; to the Committee on Interstate Commerce.

A bill (S. 5028) granting compensation to Moses Y. Starbuck; to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 5029) to amend the act providing for the acquisition of land in the District of Columbia; to the Committee on the District of Columbia.

A bill (S. 5030) to regulate interstate commerce by pipeline agencies operating in the purchase, production, distribution, sale, or transportation of natural and artificial gas; to the Committee on Interstate Commerce.

By Mr. BROOKHART:

A bill (S. 5031) granting a pension to Mrs. Hattie Bolton (with accompanying papers); and

A bill (S. 5032) granting a pension to Wallace A. Kennedy (with accompanying papers); to the Committee on Pensions.

By Mr. FRAZIER (by request):

A bill (S. 5033) to authorize an appropriation of tribal funds to purchase certain privately owned lands within the Fort Apache Indian Reservation, Ariz.;

A bill (S. 5034) authorizing the use of Osage funds for attorneys' fees and expenses of litigation; and

A bill (S. 5035) to authorize the Secretary of the Interior to accept donations to or in behalf of institutions conducted for the benefit of Indians; to the Committee on Indian Affairs.

By Mr. KEAN:

A bill (S. 5036) to extend the time for completing the construction of a bridge across the Delaware River near Trenton, N. J.; to the Committee on Commerce.

By Mr. STEIWER:

A bill (S. 5037) to repeal the limitation on the filling of a vacancy occurring in the office of senior circuit judge for the ninth judicial circuit; to the Committee on the Judiciary.

By Mr. KING:

A bill (S. 5038) to authorize an appropriation for the construction of additional barracks at Fort Douglas, Utah; to the Committee on Military Affairs.

By Mr. OVERMAN:

A bill (S. 5039) authorizing the Secretary of the Treasury to convey certain land to the city of Asheville, N. C., for park and street purposes; to the Committee on Public Buildings and Grounds.

Mr. COPELAND. I introduce a bill for reference to the Committee on the Library. It relates to a memorial to the late Senator Seward, one of my predecessors.

By Mr. COPELAND:

A bill (S. 5040) to provide for a memorial to William H. Seward for his distinguished services; to the Committee on the Library.

By Mr. LA FOLLETTE:

A bill (S. 5041) granting a pension to Martha A. Fox; and

A bill (S. 5042) granting an increase of pension to Martha Jewell; to the Committee on Pensions.

By Mr. WALSH of Massachusetts:

A bill (S. 5044) to provide for deepening, widening, and improving the Cape Cod Canal, Mass.; to the Committee on Commerce.

A bill (S. 5045) to authorize certain improvements at Camp Devens, Mass.; to the Committee on Military Affairs.

A bill (S. 5046) granting an increase of pension to Eva Davis Cogswell; to the Committee on Pensions.

By Mr. THOMAS of Oklahoma:

A bill (S. 5047) for the relief of Beryl Elliott; to the Committee on Claims.

By Mr. HEBERT:

A bill (S. 5048) granting a pension to Amasa P. Taber; to the Committee on Pensions.

By Mr. DALE:

A bill (S. 5049) granting an increase of pension to Adelia A. Deforge (with accompanying papers);

A bill (S. 5050) granting an increase of pension to Martha B. Wheeler (with accompanying papers); and

A bill (S. 5051) granting an increase of pension to Elizabeth Matten (with accompanying papers); to the Committee on Pensions.

By Mr. SHIPSTEAD:

A bill (S. 5052) granting a pension to Frank M. Andrews (with accompanying papers); and

A bill (S. 5053) granting an increase of pension to Anna S. Bergeson (with accompanying papers); to the Committee on Pensions.

A bill (S. 5054) for the relief of Vincent J. Conrad; to the Committee on Military Affairs.

A bill (S. 5055) for the relief of John C. Seebach; and

A bill (S. 5056) for the relief of F. W. Tyler; to the Committee on Claims.

By Mr. HARRISON:

A bill (S. 5057) to provide for extending during the present emergency the time of payment of loans made by Federal land banks, and for other purposes; to the Committee on Banking and Currency.

By Mr. JONES:

A bill (S. 5058) to authorize the Secretary of the Navy to proceed with the construction of a machine-shop building at the United States navy yard, Puget Sound, Wash.; to the Committee on Naval Affairs.

PARTIAL REFUNDS TO STATES FOR RELIEF EXPENDITURES

Mr. WALSH of Massachusetts. I introduce a bill, the title of which is "A bill to reimburse the States and their political subdivisions for certain relief expenditures," which I ask may be appropriately referred and printed in the RECORD.

This bill provides for the authorization of an appropriation of \$100,000,000 in order that the National Government may share with the several States and their political subdivisions the increased expenditures necessitated to relieve suffering, poverty, and distress resulting from unemployment, part-time employment, and general business depression throughout the Nation. Briefly, the bill provides that 50 per cent of all funds expended in excess of the expenditures made in 1929 by the several States and municipalities during the years 1930 and 1931 shall be paid out of the Treasury of the United States. In a word, this bill would require the National Government to pay one-half of all increases in the next two years in certain relief expenditures in the several States.

My proposal would not only permit the States and their subdivisions to be more liberal in extending relief, but particularly in industrial centers would lessen the additional tax burdens upon them necessitated by the rapid increase in local expenditures for the prevention of poverty and its concomitant deprivations.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill (S. 5043) to reimburse the States and their political subdivisions for certain relief expenditures was read twice by its title, referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$100,000,000, to be immediately available and to remain available until expended, for the relief of the several States and political subdivisions thereof, as a reimbursement or contribution in aid from the United States, induced by the extraordinary conditions of necessity and emergency resulting from the serious financial burden of caring for distressed persons residing in such States and political subdivisions.

Sec. 2. Any State desiring to participate in the benefits of this act shall certify to the Secretary of the Treasury the total amounts expended each month during 1929, 1930, and 1931, for the pur-

pose of relieving the unemployed, including the aged and sick, by such State and its political subdivisions.

SEC. 3. The Secretary of the Treasury shall distribute the sum herein appropriated on a monthly basis, allotting to each State which certifies an expenditure for any one month of 1930 and 1931 of a greater sum than such State and all its political subdivisions expended for the same month in 1929, an amount equal to 50 per cent of the amount of the average of the monthly expenditures of such State for 1929. The first payment hereunder shall include the sums payable for each month from January 1, 1930, to the date of the approval of this act.

SEC. 4. The proper authorities of each State shall distribute monthly on a pro rata basis any sums received under authority of this act to the State and each political subdivision thereof whose expenditures for relief purposes were included in the certified statement of expenditures to the Secretary of the Treasury.

RELIEF OF FARMERS IN DROUGHT-STRICKEN AREAS

Mr. McNARY. Mr. President, yesterday I introduced a joint resolution (S. J. Res. 211) providing for the authorization of an appropriation of \$60,000,000 for the relief of drought-stricken and storm-stricken districts of the country. To-day, as chairman of the Senate Committee on Agriculture and Forestry, and at the request of the Department of Agriculture—and I am advised that it meets with the approval of the Director of the Budget—I introduce another joint resolution covering the same subject matter, and ask that it be appropriately referred.

The joint resolution (S. J. Res. 216) for the relief of farmers in the drought-stricken areas of the United States was read twice by its title and referred to the Committee on Agriculture and Forestry.

SUSPENSION OF GENERAL IMMIGRATION

Mr. HARRIS submitted an amendment intended to be proposed by him to the joint resolution (S. J. Res. 207) to suspend for a period of two years general immigration into the United States, which was referred to the Committee on Immigration, ordered to be printed, and to be printed in the RECORD, as follows:

On page 1, line 4, strike out "1933" and insert in lieu thereof "1936."

On page 2, lines 11 and 12, strike out "1932 and 1933" and insert in lieu thereof "1932, 1933, 1934, 1935, and 1936."

Amend the title so as to read: "Joint resolution to suspend for a period of five years general immigration into the United States."

AMENDMENT TO MOTOR BUS BILL

Mr. DILL submitted an amendment intended to be proposed by him to the bill (H. R. 10288) to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways, which was ordered to lie on the table and to be printed, as follows:

On page 10, beginning at line 8, strike out all of section 4, section 5, and section 6.

COSTS OF PRODUCTION OF MATCHES AND REFINED SUGAR

Mr. COPELAND. Mr. President, I submit a Senate resolution and ask to have it read. If there is objection, I shall ask that it may go over under the rule, but I trust that it may be considered now.

The VICE PRESIDENT. The resolution will be read for the information of the Senate.

The Chief Clerk read the resolution (S. Res. 348), as follows:

Whereas the United States Tariff Commission was directed by Senate Resolution 325 and Senate Resolution 309, as amended by Senate Resolution 325, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of matches, friction or lucifer, etc., as classified under paragraph 1516 of such act, and of refined sugar, and of any like or similar foreign articles: Be it therefore

Resolved, That such direction as to matches, friction or lucifer, and refined sugar be hereby rescinded.

Mr. COPELAND. I ask unanimous consent for its immediate consideration.

Mr. JONES. I did not hear the reading of the last part of the resolution. May it be again read?

The VICE PRESIDENT. The clerk will again read the resolution.

The Chief Clerk again read the resolution.

Mr. JONES. I have no objection to rescinding such a resolution.

Mr. COPELAND. I would like to state why I wish to have it rescinded.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from New York may proceed.

Mr. COPELAND. I asked the Senate to pass a resolution providing for an investigation of the cost of refined sugar. It has developed that Mr. HAWLEY, of the House, had asked that an investigation be made as to the proper differential between refined sugar and raw sugar, which is the thing I have in mind. The Tariff Commission informed me that there were delicate diplomatic questions involved in the form of my resolution and suggested this amendment.

Then, as regards matches, it has developed that all parties to the controversy are now satisfied. Therefore it would save the expense to the Government to have these two matters stricken off the calendar of the Tariff Commission.

The VICE PRESIDENT. Is there objection to the immediate consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

REFERENCE TO COMMITTEES OF TREATIES AND NOMINATIONS

Mr. WATSON. I submit the order which I send to the Secretary's desk, for which I ask immediate consideration.

The VICE PRESIDENT. The order will be read.

The Chief Clerk read the order, as follows:

Ordered, by unanimous consent, That on calendar days of the balance of the third session of the Seventy-first Congress, when Executive messages transmitting nominations or treaties are received and there is no executive session of the Senate, the President of the Senate is authorized, unless objection is made, to refer to the proper committees, as in executive session, such messages with the accompanying nominations or treaties.

The VICE PRESIDENT. Is there objection to the immediate consideration of the order?

There being no objection, the order was considered and agreed to.

CATHERINE T. SMITH

Mr. WATSON submitted the following resolution (S. Res. 349), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for miscellaneous items, contingent fund of the Senate, fiscal year 1930, to Catherine T. Smith, widow of Frank M. Smith, late the janitor of the Senate, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

CONSERVATION OF WILD ANIMAL LIFE

Mr. WALCOTT submitted the following resolution (S. Res. 350), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the special committee directed by Senate Resolution 246, agreed to April 17, 1930, to investigate appropriate methods for the replacement and conservation of wild animal life is hereby authorized to expend in furtherance of such purposes \$10,000 in addition to the amount heretofore authorized.

INVESTIGATION RELATIVE TO CONVICT LABOR IN THE PRODUCTION OF TIMBER

Mr. STEIWER submitted the following resolution (S. Res. 351), which was ordered to lie over under the rule:

Resolved, That the Secretary of the Treasury is requested to cause an investigation to be made under the regulations prescribed pursuant to the authority contained in section 307 of the tariff act of 1930 for the purpose of ascertaining the extent to which convict labor is used in the manufacture or production of timber products in any territory subject to the jurisdiction or control of the Union of Soviet Socialist Republics, and to report thereon to the Senate at the earliest practicable date.

REPORT OF EMERGENCY COMMISSION ON UNEMPLOYMENT

Mr. SHIPSTEAD. I offer a resolution and ask unanimous consent for its immediate consideration. I do not think it will lead to any debate. It it shall, I will not press it.

There being no objection, the resolution (S. Res. 352) was read, considered, and agreed to, as follows:

Resolved, That the President be, and is hereby, requested to transmit to the Senate, if not incompatible with the public interest, the following: The report of the President's Emergency Commission on Unemployment, Col. Arthur D. Woods, chairman.

SENATOR FROM PENNSYLVANIA

Mr. BLAINE. Mr. President, I present an editorial from to-day's issue of the Washington Daily News relative to the Pennsylvania senatorship entitled "Half a Seat," which I ask to have published in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HALF A SEAT

Assuming that JIM DAVIS can prove his right by fair election to his seat as Senator from Pennsylvania, that does not explain the Senate's rush yesterday in seating him. What was the hurry? Why did the Senate act before all the evidence was in?

The Senate had asked its committee to investigate campaign expenditures. The committee was ready to report on various campaigns, including that of Davis. But at the last minute new and previously unreported Davis campaign expenditures were uncovered. So the committee took the only course possible of asking for a brief delay to consider the new evidence.

That the Senate insisted on seating Davis at once and deliberately ignoring the new evidence is so astounding that it will require a great deal of explaining.

Does it mean that the Senate majority does not care how a Member is elected or how much money he spends? Does it mean that the Senate has reversed the policy on which it excluded Vare of Pennsylvania and Smith of Illinois for excessive expenditures?

The Vare-Beidleman ticket spent \$780,000, and Vare was refused his seat, though he argued that most of the money was used for Beidleman. The Davis-Brown ticket spent \$628,000, according to the first report of the committee, and now on the basis of the new evidence committee members estimate the total at "more than \$1,000,000."

What was the pressure upon the Republican Old Guard and the Democratic powwow under Leader JOE ROBINSON which resulted in the Senate's unexpected and unexplained winking at charges of a million-dollar election?

The Senate probably has not heard the last of this.

PERSONAL EXPLANATION—KINGS MOUNTAIN CELEBRATION

Mr. BLEASE. Mr. President, I request that certain data which I herewith present be printed in the RECORD as a part of my remarks. I am not doing this to censure anyone, or to cause any unpleasantness; but I feel that it is due me that the record be kept straight.

When I went to the Kings Mountain celebration on October 7, 1930, as a member of the committee appointed by the Vice President to attend the exercises, I presented myself and requested that I be furnished with tags for my car and such tickets of admission as I might be entitled to. I was informed that I was not a member of the committee, and so, of course, the privileges to which I was entitled as a member were not accorded me.

The Senator from North Carolina [Mr. OVERMAN], who was a member of the committee, and Representative STEVENSON, of South Carolina, who was also a member of the committee, stated to the authorities in charge that I was a member, Senator OVERMAN saying that he had a certified copy of the appointments and that he, Senator FESS, and Senator BLEASE were the appointees.

I did receive courtesies from those in charge and am making no complaint; but there were those present—some dressed in uniforms—who were very officious and who seemed to think that I was endeavoring to obtain privileges to which I was not entitled.

This record is to show that I was entitled to all of the courtesies and privileges which were due to a Senator of the United States, as a member of the committee appointed by the Vice President.

The VICE PRESIDENT. Without objection, the data presented by the Senator from South Carolina will be printed in the RECORD, as requested.

The matter referred to is as follows:

CHERAW, S. C., September 24, 1930.

Senator COLE. L. BLEASE,
Pendleton, S. C.

MY DEAR SENATOR: I am requested by Mr. C. O. Kuester, chairman of the Kings Mountain Sesquicentennial Committee, to invite you to a formal dinner to be given by him on October 6, at 7 o'clock p. m., at the Hotel Charlotte, in Charlotte, N. C., and to request that you let him know whether you propose to attend or not. Write him, C. O. Kuester, chairman, Charlotte Chamber of Commerce Building, Charlotte, N. C.

Sincerely yours,

W. F. STEVENSON.

PENDLETON, S. C., September 26, 1930.

Hon. W. F. STEVENSON, M. C.,
Cheraw, S. C.

MY DEAR CONGRESSMAN: Yours of September 24 to hand. I have to-day written Mr. Kuester advising him that because of some other engagements it will be impossible for me to attend the dinner in Charlotte on October 6.

I appreciate very much your kindness in writing me and am sorry that I will not be able to be with you on this occasion.

With kindest personal regards and my very best wishes, I am,
As ever,

COLE. L. BLEASE.

PENDLETON, S. C., September 26, 1930.

Hon. C. O. KUESTER,
Chairman Kings Mountain Sesquicentennial Committee,
Charlotte Chamber of Commerce Building, Charlotte, N. C.

DEAR MR. KUESTER: Congressman STEVENSON has conveyed to me your kind invitation to attend the formal dinner to be given by you on October 6 at 7 o'clock p. m., at the Hotel Charlotte, and I regret very much that I shall not be able to be present because of other engagements.

However, I appreciate very much your courtesy and desire to send my best wishes for a most happy occasion.

With kindest regards, I am, very respectfully,

COLE. L. BLEASE.

CHARLOTTE CHAMBER OF COMMERCE,
Charlotte, N. C., September 26, 1930.

Hon. COLE. LIVINGSTON BLEASE,
Senate Building, Washington, D. C.

DEAR SENATOR BLEASE: Remember you have been cordially invited and expected to attend the Kings Mountain celebration at Kings Mountain October 7.

The plan is, if it is possible, to gather in Charlotte on Monday night, October 6, and go to the battle ground on the 7th. I am giving a dinner at the Hotel Charlotte on the evening of October 6 at 7 o'clock, and I invite you to be my guest at that time.

If you can not be in Charlotte, please let me know if I may expect you at Kings Mountain, so I will have reserved seats for you on the President's stand.

Yours truly,

C. O. KUESTER, Chairman.

PENDLETON, S. C., October 1, 1930.

Hon. C. O. KUESTER,
Chairman Kings Mountain Sesquicentennial Committee,
Charlotte Chamber of Commerce Building, Charlotte, N. C.:

Will not be able to attend your banquet on night of the 6th. I will attend Kings Mountain celebration October 7 as member of committee representing the United States Senate. Could you please wire me what time President's train is expected to arrive at Kings Mountain?

COLE. L. BLEASE.

CHARLOTTE, N. C., October 1, 1930.

Hon. COLE. L. BLEASE,
Pendleton, S. C.:

President's train arrives in Kings Mountain promptly at 1 o'clock. We shall expect you at the celebration at Kings Mountain. See letter.

C. O. KUESTER, Chairman.

CHARLOTTE CHAMBER OF COMMERCE,
Charlotte, N. C., October 1, 1930.

Hon. COLE. L. BLEASE,
Pendleton, S. C.

DEAR SIR: Go to the town of Kings Mountain and try and get there by 11.30 if you possibly can. The parade starts at 1 o'clock, and I will have tickets for you at the Kings Mountain Hotel.

We are glad you are going to be with us at that time. Thank you.

Sincerely yours,

C. O. KUESTER, Chairman.

Mr. BLEASE. Mr. President, the following telegram was sent to each of the gentlemen here named: Hon. Edwin P. Thayer, Washington, D. C.; Hon. LEE S. OVERMAN, Salisbury, N. C.; Hon. SIMEON D. FESS, Washington, D. C.; Hon. ELLISON D. SMITH, Lynchburg, S. C.; Hon. W. F. STEVENSON, Cheraw, S. C.; Hon. CHARLES CURTIS, Washington, D. C.; Hon. C. O. Kuester, Charlotte, N. C.:

PENDLETON, S. C., October 8, 1930.

Second column, page 36, CONGRESSIONAL RECORD, Wednesday, July 9, 1930, reads as follows, under the head Anniversary of the Battle of Kings Mountain:

"The VICE PRESIDENT. Under the terms of House Concurrent Resolution No. 21 the Chair appoints the Senator from Ohio [Mr. Fess], the Senator from North Carolina [Mr. OVERMAN], and the Senator from South Carolina [Mr. BLEASE] as members on the part of the Senate of the joint committee to represent the Con-

gress at the celebration to be held at the battle ground of the Battle of Kings Mountain, S. C., on October 7, 1930."

Will you please advise me if any change was authorized in the above, and if so, by whom?

COLE. L. BLEASE.

St. Louis, Mo., October 12, 1930.

Hon. COLE. L. BLEASE,
Jefferson Hotel, Columbia, S. C.:

There were no changes made in the committee referred to in your message.

CHARLES CURTIS.

CHARLOTTE CHAMBER OF COMMERCE,
Charlotte, N. C., October 8, 1930.

Hon. COLE. L. BLEASE,
Pendleton, S. C.

DEAR SENATOR BLEASE: Your telegram just received, and I send you telegram as sent to me from Lincolnton, N. C., and this is where I got my information. If there is an error—and I am sure there has been an error made since I talked with you—I will be only too glad to correct it by the Associated Press, and upon receipt of this letter let me know and I will immediately correct it.

I have no other information except this telegram, which I am sending to you, which I ask that you return to me. Senator, I had a car for you to go to the battle ground yesterday, and sorry you could not come. Remember you advised me that it would not be possible for you to attend the celebration previous to the celebration, and had you not given me that information I would have been on the lookout for you in a more satisfactory way; but remember, Senator, I had a tremendous job, and hundreds of folks pulling at me from one side and the other, and nothing would have given me more pleasure than to have done everything in the world I could for you; and I again say that upon receipt of your wire I shall make all proper corrections immediately.

In getting up our program I wired to Congressman JONAS's office at Washington, and within a few days the telegram was sent to me by Mr. JONAS. Now, I do not think there is anything except simply an error, to be perfectly frank, Senator. I do not think any injustice was intended by anyone. I understand your position, and nothing would please me more than to make any correction you suggest that I make as chairman of the committee.

Let me hear from you.

Sincerely yours,

C. O. KUESTER.

[Inclosure]

LINCOLNTON, N. C., September 26, 1930.

C. O. KUESTER,
Chairman Kings Mountain Committee,
Charlotte, N. C.:

Senators LEE S. OVERMAN, Salisbury, N. C.; SIMEON D. FESS, Republican National Committee, Barr Building, Washington, D. C.; ELLISON D. SMITH, Lynchburg, S. C.; Representatives WILLIAM F. STEVENSON, Cheraw, S. C.; B. CARROLL REECE, Johnson City, Tenn., and myself.

CHARLES A. JONAS.

PENDLETON, S. C., October 9, 1930.

Hon. C. O. KUESTER,
Chairman Kings Mountain Sesquicentennial Committee,
Charlotte Chamber of Commerce, Charlotte, N. C.

DEAR MR. KUESTER: Your letter of the 8th instant received. I am glad to have the information which you transmit therein, and am returning Mr. JONAS's telegram to you herewith. I am not blaming you with the occurrence, and just wish to get it straightened out.

I would prefer that you take no action about an announcement until you hear further from me, as I am now investigating the circumstances. However, if permanent records of the occasion are to be made for preservation, in the meantime I would be glad for you to see that I receive the credit to which I am justly entitled, and later I shall furnish you further data.

With kind regards and my best wishes, I am,

Very respectfully,

COLE. L. BLEASE.

CHERAW, S. C., October 8, 1930.

Senator COLE. L. BLEASE,
Pendleton, S. C.:

Your wire. I had no notice of any change in senatorial commission to attend Kings Mountain celebration, and was greatly surprised when I saw Senator SMITH instead of you in the program. I am puzzled to know who made the unauthorized substitution.

W. F. STEVENSON, M. C.

SALISBURY, N. C., October 8, 1930.

Senator COLE. BLEASE,
Pendleton, S. C.:

Your information correct. No changes made in official appointments. Vice President informed me he would appoint you, Fess, and myself. No power other than Vice President's could change. It being a joint resolution, no change was made.

LEE S. OVERMAN.

LYNCHBURG, S. C., October 9, 1930.

Hon. COLE. L. BLEASE,
Pendleton, S. C.:

I was invited to attend the dinner given on October 6 and exercises on October 7 at Kings Mountain. I had a letter from Mr. STEVENSON stating that he had seen my name on the official program. I do not know who made up the program for the day nor can I give you any information in regard to this affair.

E. D. SMITH.

PENDLETON, S. C., October 8, 1930.

Hon. EDWIN P. THAYER,
Secretary United States Senate, Washington, D. C.:

Please wire me names of three Senators appointed by Vice President to serve on committee to represent Senate at Kings Mountain celebration and date of appointment.

COLE. L. BLEASE.

WASHINGTON, D. C., October 9, 1930.

Hon. COLE. L. BLEASE,
Pendleton, S. C.:

Answering your telegrams under date July 9, Vice President CURTIS appointed Senators FESS, OVERMAN, and BLEASE as members on part of Senate of joint committee to represent Congress at celebration at Battle of Kings Mountain October 7, under terms House Concurrent Resolution 21, which authorizes President of the Senate to appoint members on part of Senate. If any change made this would be done by Vice President.

EDWIN P. THAYER.

PENDLETON, S. C., October 9, 1930.

Hon. CHARLES A. JONAS, M. C.,
Lincolnton, N. C.

DEAR CONGRESSMAN JONAS: I am inclosing herewith copy of wire sent by you to the Hon. C. O. Kuester, chairman of the Kings Mountain sesquicentennial committee of Charlotte, N. C., under date of September 26, 1930, that is self-explanatory, together with copy of wire that I sent Mr. Kuester under date of October 8, 1930, that likewise explains itself.

You will note that I quote from the daily CONGRESSIONAL RECORD of July 9, 1930, in my wire to Mr. Kuester. Would you please be so kind as to inform me by what authority you stated that Senator SMITH had been appointed in my stead to represent the Senate on the congressional committee and all other facts that you know in relation to same?

With kind regards and my best wishes, I am,
Very respectfully,

COLE. L. BLEASE.

LINCOLNTON, N. C., October 10, 1930.

Hon. COLE. L. BLEASE,
Pendleton, N. C.

DEAR SENATOR BLEASE: Congressman JONAS is in the mountain counties of the ninth district on a speaking tour at the present time, and I therefore have the honor to acknowledge receipt of your letter dated October 9.

You may be sure that your letter will be brought to his attention promptly upon his return to the office.

Yours very truly,

LUCY RAREY,

Assistant Secretary to the Hon. Charles A. Jonas.

NOTE: I have not had the courtesy of any reply from Congressman JONAS save the above acknowledgment of my letter by his secretary.

COLE. L. BLEASE.

DECEMBER 1, 1930.

UNITED STATES SENATE,
COMMITTEE ON THE LIBRARY,
October 13, 1930.

Hon. COLE. L. BLEASE,
Pendleton, S. C.

MY DEAR SENATOR BLEASE: Your wire of October 8 reached the office while I was in Ohio and was not received by me until to-day.

I am inclosing a copy of a letter I sent to Senator OVERMAN expressing why it would not be possible for me to be present. I should have also written you. I regret the oversight.

Very truly yours,

SIMEON D. FESS.

CHARLOTTE CHAMBER OF COMMERCE,
Charlotte, N. C., October 16, 1930.

Senator COLE. L. BLEASE,
Pendleton, S. C.

DEAR SENATOR BLEASE: Thank you for copy of telegrams. Appreciate your sending these to me. I regret very much that there was an error made in printing the name of Senator SMITH instead of your name on the program, but I sent you the telegram which gave us this committee, and, as stated in a previous letter, I am satisfied it is just an error and no injustice was intended you whatsoever, and if there is any correction you would like for me to make, as previously written you, I will be only too glad

to make a public correction of this error; but, however, it was no fault of mine the way I see it.

Senator, I am perfectly willing, as you know, to do anything you suggest that you desire that I do. This was not printed anywhere in the world except in the program, and I have seen this committee carried in no newspapers, and the program was the only place that carried this committee.

Assuring you of my highest personal regards, and any time I can be of service to you let me know.

Sincerely yours,

C. O. KUESTER.

CHERAW, S. C., October 16, 1930.

Senator COLE. L. BLEASE,
Washington, D. C.

MY DEAR SENATOR: Copies of your communications as to who was on the senatorial commission at Kings Mountain have just been received, and Senator SMITH, in his telegram, seems to lay it on me, and I respectfully decline to be made the goat.

When I got the official program, after I invited you and you had declined, I found they had Senator SMITH's name instead of yours as to the members of the commission, and I wrote Senator SMITH on the 3d of October that I had been notified that you had been appointed and had invited you to this dinner at Charlotte, and said to him:

"Acting on the information which I had no reason to doubt, I invited Senator BLEASE and the other Senators on the commission and Senator BLEASE wrote me that he would be unable to attend. To-day I got the official program and find that you are the member of this commission instead of Senator BLEASE, and I herewith invite you to dinner and will ask you please to write Mr. Kuester, care of Charlotte Chamber of Commerce, Charlotte, N. C., at once if you can be there, as he wants to know who will be the guests there at that time. I don't know how the mix-up came about, because I was first notified that BLEASE was on the commission. I suppose he must have declined or else it was a newspaper mistake in making the report."

When I got to Charlotte I found Senator SMITH there and asked him if he got my letter, and he said, oh, yes, he got it but he had already been invited to dinner otherwise. My surprise was as great as yours when I found it changed, but I supposed that those people handling the celebration knew what they were doing when they printed that program. I consider it an outrageous treatment of you, and so has everyone that I have talked to about it. Being directed by the chairman to invite the other commissioners, I promptly invited you, and see now that I was correct in so doing.

Most sincerely,

W. F. STEVENSON.

PROPOSED SPECIAL COMMITTEE ON RELIEF LEGISLATION

Mr. THOMAS of Oklahoma. Mr. President, on yesterday I introduced Senate Resolution 338. That resolution proposes to create a special select committee to have charge of relief legislation. I desire at this time to offer for the RECORD a statement appearing in to-day's New York Times, and I ask that it may be read.

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

BILLS LAID BEFORE CONGRESS ON EMPLOYMENT RELIEF AND TO DEAL WITH COUNTRY'S ECONOMIC RECOVERY

WASHINGTON, December 2.—Measures on employment relief and economic recovery introduced in the Senate and House to-day included the following:

By Senator GLENN: A resolution to carry out President Hoover's recommendation for an emergency fund of \$150,000,000 to accelerate public works.

By Senators ROBINSON of Arkansas, McNARY, and CARAWAY: Resolutions to provide \$60,000,000 to aid drought-stricken farmers.

By Senator BLAINE: Bill for creating a Federal industrial commission to study the stabilization of employment.

By Senator CAPPER: Resolution to distribute 40,000,000 bushels of the Farm Board's wheat surplus to relief organizations for food.

By Senator BROOKHART: Bill increasing appropriations for public roads from \$125,000,000 to \$500,000,000 for two years.

By Senator KEYES and Representative ELLIOTT: Twin bills to expedite work on Federal buildings.

By Senator REED: Bill to suspend immigration for two years from all countries on this hemisphere and from Europe.

By Senator ODDIE: Bill to embargo the importation of all products from Soviet Russia.

Mr. THOMAS of Oklahoma. Mr. President, on yesterday eight separate and distinct bills were introduced proposing, in a measure, to carry out the recommendations of the President. Those bills, in the regular course, were referred to various committees.

Mr. President, I submit that when the President of the United States devotes one-half of his message to an emergency, the Senate should consider such emergency, should investigate the facts, and should prepare, introduce, and

consider measures designed to relieve the distress incident to such emergency. I maintain that it would be a better policy for the Senate to appoint a special committee to handle the entire question of relief than to depend upon numerous committees unrelated to try to handle the situation. I serve notice that on to-morrow I shall call from the table Senate Resolution 333 and ask for a vote upon it.

Mr. President, the question before the Senate is whether the Senate will appropriate a lump sum and place such sum in the hands of the President to be spent by him or whether the Congress itself will undertake to handle the situation. I am frank to say that I prefer that the Congress handle the situation. I believe the Congress is in a better position and is better able to know what the country needs than is any department or bureau of the Government. Believing as I do, I serve notice that to-morrow, during the morning hour, I shall call for the consideration of the resolution.

CONSIDERATION OF THE CALENDAR

The VICE PRESIDENT. Morning business is closed, and the calendar, under Rule VIII, is in order.

Mr. McNARY. In view of the approaching consideration of the calendar, I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum being suggested, the clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	King	Shortridge
Barkley	Frazier	La Follette	Simmons
Bingham	George	McGill	Smith
Black	Gillett	McKellar	Smoot
Blaine	Glenn	McMaster	Steiger
Blease	Goff	McNary	Stephens
Borah	Goldsborough	Morrow	Swanson
Brook	Gould	Moses	Thomas, Idaho
Brookhart	Greene	Norbeck	Thomas, Okla.
Broussard	Hale	Norris	Townsend
Bulkeley	Harris	Nye	Trammell
Capper	Harrison	Oddie	Tydings
Caraway	Hastings	Overman	Vandenberg
Carey	Hatfield	Patterson	Wagner
Connally	Hayden	Phipps	Walcott
Copeland	Hebert	Pine	Walsh, Mass.
Couzens	Hefflin	Pittman	Walsh, Mont.
Cutting	Howell	Reed	Waterman
Dale	Johnson	Robinson, Ark.	Watson
Davis	Jones	Robinson, Ind.	Wheeler
Deneen	Kean	Schall	Williamson
Dill	Kendrick	Sheppard	
Fess	Keyes	Shipstead	

Mr. SWANSON. I wish to announce that my colleague the junior Senator from Virginia [Mr. GLASS] is necessarily detained from the Senate by illness in his family.

The VICE PRESIDENT. Ninety Senators having answered to their names, a quorum is present. The Secretary will state the first bill on the calendar.

BILLS AND RESOLUTIONS PASSED OVER

The bill (S. 168) providing for the biennial appointment of a board of visitors to inspect and report upon the government and conditions in the Philippine Islands was announced as first in order.

Mr. BINGHAM. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 76) to amend Rule XXXIII of the Standing Rules of the Senate relating to the privilege of the floor was announced as next in order.

Mr. COUZENS. I ask that the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 551) to regulate the distribution and promotion of commissioned officers of the Marine Corps, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 49) authorizing Committee on Manufactures, or any duly authorized subcommittee thereof, to investigate immediately the working conditions of employees in the textile industry of the States of North Carolina, South Carolina, and Tennessee was announced as next in order.

Mr. OVERMAN. I ask that the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 153) granting consent to the city and county of San Francisco to construct, maintain, and operate a bridge across the Bay of San Francisco from Rincon Hill to a point near the South Mole of San Antonio Estuary, in the county of Alameda, in said State, was announced as next in order.

Mr. ODDIE. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 119) authorizing and directing the Committee on Interstate Commerce to investigate the wreck of the airplane *City of San Francisco* and certain matters pertaining to interstate air commerce was announced as next in order.

Mr. FESS. I ask that the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

HEALTH AND WELFARE OF MOTHERS AND INFANTS

The bill (S. 255) for the promotion of the health and welfare of mothers and infants, and for other purposes, was announced as next in order.

Mr. BINGHAM and Mr. PHIPPS asked that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

Mr. HEFLIN. Mr. President, I should like to know why the bill which has just been called on the calendar should go over. The author of the bill is the Senator from Washington [Mr. JONES].

Mr. JONES. Mr. President, is the Senator inquiring about Order of Business No. 368, being Senate bill 255?

Mr. HEFLIN. Yes, sir.

Mr. JONES. I desire to give notice that at the very first opportunity I expect to move to take up that measure. I consider it a very important one. It deals with the health and mortality of children and mothers, and, as I have said, at the very first opportunity I propose to move for the consideration of the bill. I shall not do it this morning because the consideration of the bill will take some little time.

BILLS AND RESOLUTIONS PASSED OVER

The VICE PRESIDENT. The next bill in order on the calendar will be stated.

The bill (H. R. 9592) to amend section 407 of the merchant marine act, 1928, was announced as next in order.

Mr. SMOOT. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1278) to authorize the issuance of certificates of admission to aliens, and for other purposes, was announced as next in order.

Mr. COPELAND. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 149) for the relief of unemployed persons in the United States was announced as next in order.

Mr. BROOKHART. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 23) to regulate the procurement of motor transportation in the Army was announced as next in order.

Mr. BLAINE. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 245) providing for the appointment of a committee to inquire into the failure of the Speaker of the House of Representatives to take some action of Senate Joint Resolution 3, relative to the commencement of the terms of President, Vice President, and Members of Congress was announced as next in order.

Mr. FESS. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 120) to authorize the President to detail engineers of the Bureau of Public Roads of the Department of Agriculture to assist the governments of the Latin American

Republics in highway matters was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 7998) to amend subsection (d) of section 11 of the merchant marine act of June 5, 1920, as amended by section 301 of the merchant marine act of May 22, 1928, was announced as next in order.

Mr. McNARY. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 4066) to authorize the merger of the Georgetown Gas Light Co. with and into the Washington Gas Light Co., and for other purposes, was announced as next in order.

Mr. HOWELL. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3229) to provide for the appointment of an additional district judge for the southern district of New York was announced as next in order.

Mr. COPELAND. I ask that this bill go over without prejudice.

The VICE PRESIDENT. The bill will be passed over without prejudice.

PRACTICE BEFORE UNITED STATES PATENT OFFICE

The bill (H. R. 699) to prevent fraud, deception, or improper practice in connection with business before the United States Patent Office, and for other purposes, was announced as next in order.

Mr. ROBINSON of Arkansas. Mr. President, I think the Senator from Colorado [Mr. WATERMAN] or some one else should give a statement explaining the provisions of this bill. I do not wish to ask that it go over; but the Senate is just hurriedly passing over the calendar. We have proceeded for quite a distance on the calendar and have given consideration to no measure. I should like to have an explanation of the provisions of this bill.

Mr. WATERMAN. Mr. President, since the last session I have not been able to give this bill any attention at all, or to renew my familiarity with it as it existed at that time. I can say that the bill is one which has had two or three objections to it which in my opinion were not well founded.

The bill is for the purpose of so framing the law that people who ought not to be permitted to approach the Patent Office shall be kept away. It is nothing more or less than a reasonable limitation upon applications and admissions to practice before the Patent Office. In my opinion, the bill as it has been reported to the Senate is one that is highly worthy of passage; and while I can not this morning go into an argument upon it, because I am not prepared to do so, I hope that the objections, if there are any, will be withdrawn.

Mr. ROBINSON of Arkansas. Mr. President, that statement is not explanatory, at least to my satisfaction, of this bill. I think the purpose of these amendments and of the bill itself ought to be made clear to the Senate, and the necessity for them shown.

Mr. WATERMAN. I will say to the Senator that on a future day I will do that.

Mr. ROBINSON of Arkansas. Very well. I understand that the Senator is not ready to do it now; and therefore the bill will have to go over.

The VICE PRESIDENT. The bill will be passed over.

BILLS PASSED OVER

The bill (S. 1916) to amend section 1025 of the Revised Statutes of the United States was announced as next in order.

The VICE PRESIDENT. The amendment of the senior Senator from New Mexico [Mr. BRATTON] is pending.

Mr. McNARY. In view of the absence of the Senator, I suggest that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 4357) to limit the jurisdiction of district courts of the United States was announced as next in order.

Mr. REED and Mr. COPELAND. Let that go over.

Mr. WALSH of Montana. Mr. President, let me remark that that bill, Order of Business 697, ought, I think, to be passed. The only purpose of it is to permit the United States district attorney to take his stenographer into the grand-jury room.

Mr. REED. No, Mr. President; I think we are looking at different numbers on the calendar. Order of Business 683, Senate bill 1916, allows the presence of stenographers in the grand-jury room. I do not object to that.

Mr. ROBINSON of Arkansas. This bill changes the jurisdiction of the Federal courts.

Mr. WALSH of Montana. Let me inquire, then, who did object to Senate bill 1916?

Mr. REED. The Senator from Oregon [Mr. McNARY] objected to it, I believe, in the absence of the Senator from New Mexico [Mr. BRATTON].

Mr. McNARY. Yes; in view of that Senator's absence, I objected.

Mr. REED. The Senator from New Mexico has offered an amendment.

The VICE PRESIDENT. The clerk will state the next bill on the calendar.

The bill (H. R. 10288) to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways was announced as next in order.

The VICE PRESIDENT. This bill is the unfinished business.

Mr. COUZENS. Let it go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3344) supplementing the national prohibition act for the District of Columbia was announced as next in order.

Mr. BLAINE. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3558) to amend section 8 of the act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3399) to amend section 2 (e) of the air commerce act of 1926 was announced as next in order.

Mr. McKELLAR. I think the Senator from New Mexico [Mr. BRATTON] has an amendment to that bill. At any rate, I will ask that it go over.

The VICE PRESIDENT. The bill will be passed over.

SETTLEMENT OF CLAIMS AGAINST THE UNITED STATES

The Senate proceeded to consider the bill (S. 4377) to provide for the settlement of claims against the United States on account of property damage, personal injury, or death.

Mr. KING. Mr. President, this is a very important measure. Would the Senator from Nebraska [Mr. HOWELL] object to its going over?

Mr. HOWELL. Mr. President, this bill has been on the calendar for some time. It is a measure that was passed by a previous Congress as amended by suggestions made by the Comptroller General. It provides for the settlement of claims against the Government. That is, it provides that instead of certain claims being settled by the departments each department shall send its claims to the Comptroller General and he may settle them on the basis which has been the practice heretofore. That would cause uniformity in the settlement of claims.

Mr. KING. What is the limit that the officials of the Government would be permitted to pay in settlement of these claims?

Mr. HOWELL. The limit of the claims is the same as it has been before.

Mr. KING. Five hundred dollars?

Mr. HOWELL. Five hundred dollars; or I think the bill does provide that claims up to \$1,000 can be settled.

Mr. REED. Mr. President, if the Senator will yield to me, in the first section of the bill it provides for the adjudication and payment of claims not exceeding \$50,000.

Mr. HOWELL. But such claims have to be referred back to Congress.

Mr. WALSH of Montana. Mr. President, my understanding about that is that with respect to claims above the limit of \$500 or \$1,000—as I recollect the limit is \$1,000—the Comptroller General takes the testimony and refers the testimony to the Congress for action.

The bill really is intended to substitute some regular, orderly way of taking testimony to go before the Committee on Claims instead of having the Committee on Claims determine the matter upon ex parte affidavits. The inquiry is prosecuted before the Comptroller General in the regular, orderly way, and testimony is taken before him which he transmits with his recommendations to the Congress for action by the Committee on Claims.

The subject really is one which ought to have the attention of Congress, because everyone who has had any experience at all before the Committee on Claims realizes that it is in no situation to determine with any degree of justice or accuracy the controversies that arise.

Mr. WALSH of Massachusetts. Mr. President, I inquire if any increased authority is given to any official under this bill other than that official enjoys under the present law?

Mr. HOWELL. There is not.

Mr. ROBINSON of Arkansas. Mr. President, may I ask a question of the Senator from Nebraska or the Senator from Montana?

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Arkansas?

Mr. HOWELL. I yield.

Mr. ROBINSON of Arkansas. What will be the jurisdiction of the Committee on Claims if the bill passes?

Mr. WALSH of Montana. It is not affected, except that all claims must first be presented to the Comptroller General before being acted upon by the Congress or the Committee on Claims.

Mr. ROBINSON of Arkansas. He has the power finally to adjudicate claims of less than \$1,000?

Mr. WALSH of Montana. He has power finally to adjudicate them, and the payments are made. In the case of claims for more than \$1,000 and less than \$50,000, he takes testimony and transmits it.

Mr. ROBINSON of Arkansas. And transmits it back to the Congress?

Mr. WALSH of Montana. Exactly.

Mr. ROBINSON of Arkansas. And then the committees take jurisdiction?

Mr. WALSH of Montana. Exactly.

Mr. HOWELL. Mr. President, this bill simply provides for the orderly settlement of claims and the proper taking of testimony.

The VICE PRESIDENT. Let the bill be read.

The Chief Clerk read the bill, as follows:

Be it enacted, etc.,

TITLE I. PROPERTY DAMAGE CLAIMS

SECTION 1. (a) Subject to the limitations of this act, the United States hereby grants authority as hereinafter provided for the adjudication and payment of claims on account of damage to or loss of privately owned property not exceeding \$50,000 in amount, if the damage or loss proximately resulted from the negligence or wrongful act or omission of any officer or employee of the Government within the scope of his office or employment and not out of contract.

(b) The heads of the respective departments and establishments shall promptly cause an investigation to be made under such regulations as the Comptroller General shall prescribe of any happening or event in which the United States, through its officers or employees, becomes involved, irrespective of whether or not there appears liability on the part of the United States, and shall transmit for settlement any claim for damages under this title to the General Accounting Office, together with the record and their report and recommendations as to the amount to be allowed, if any.

(c) The General Accounting Office shall settle and adjust the claims as reported, and shall deduct from the amount found due the owner the amount of any lawful claim of the United States, whether liquidated or unliquidated, against such owner. The net amount, not exceeding \$1,000, due a claimant owner shall be

paid under any appropriations available for use of the respective department or establishment under which the damage occurred which the Comptroller General in his discretion may direct to be charged therewith. Any claim in net amount in excess of \$1,000 shall be certified to the Congress for its consideration and action, and such certificate shall contain a brief statement of the facts and reasons for allowance of the claim and for deductions, if any. Any amount found due and paid under this title shall forever discharge the United States from any claim or demand on account of the damage or loss involved in the particular claim. The right of Congress is expressly reserved to return to the Comptroller General, as provided in section 312 (a) of the Budget and Accounting Act of June 10, 1921 (42 Stat. 25, 26), any claim settled by him for further examination and report or to refer any such claim to the Court of Claims, as provided in section 151 of the act of March 3, 1911 (36 Stat. 1138), for the investigation and determination of facts with its conclusion thereon.

(d) No claim shall be considered under this title unless presented in writing to the department within 90 days from the date of the accrual of said claim: *Provided*, That the deposit in the mails of a duly registered letter addressed to the head of the department or establishment concerned, containing notification of the claim, shall be deemed to be presentation of a claim as required by this section.

SEC. 2. The Court of Claims shall be exclusively competent, under such rules as it may prescribe, to review as on certiorari any settlement made by the General Accounting Office under the provisions of this title: *Provided*, That application be duly made for certiorari within 90 days from the date of such settlement: *Provided further*, That the record on such review shall consist of a transcript of all the papers filed in the General Accounting Office in the claim prior to its settlement, together with a copy of the decision of the Comptroller General therein.

SEC. 3. Nothing in this title shall be construed to affect any right of the United States to reimbursement from an officer or employee of the Government willfully causing the damage or loss giving rise to any claim against the United States under this title.

SEC. 4. (a) The provisions of this title shall not apply to—

(1) Any claim arising out of the loss or miscarriage or negligent transmission of letters or postal matter.

(2) Any claim arising in respect of the assessment or collection of any tax or customs duty.

(3) Any claim for which settlement is provided by the act of October 6, 1917 (U. S. C., title 34, secs. 981–982, inclusive), relating to the loss, damage, or destruction of the property of officers and enlisted men in the naval service, in the Marine Corps, and in the Coast Guard; by the act of March 3, 1885 (U. S. C., title 31, secs. 218–222, inclusive), as amended, relating to the loss, damage, or destruction of the property of the officers, enlisted men, and members of the Nurse Corps (female) of the Army; or by the act of March 9, 1920 (U. S. C., title 46, secs. 741–752, inclusive), or the act of March 3, 1925 (U. S. C., title 46, secs. 781–790, inclusive), relating to claims or suits in admiralty against the United States.

(4) Any claim arising out of the conveyance, transfer, assignment, or delivery of money or other property or out of the payment to or seizure by the President or Alien Property Custodian of any money or other property, in administering the provisions of the trading with the enemy act, as amended.

(5) Any claim arising out of the administration of the quarantine laws except the laws administered by the Public Health Service of the Treasury Department.

(6) Any claim arising out of the activities or work of the Government, its agents or employees, relating to flood control.

(7) Any claim arising out of the activities of the Government, its agents or employees, relating to river and harbor work.

(b) The act entitled "An act to provide for the settlement of claims arising against the Government of the United States in sums not exceeding \$1,000 in any one case," approved December 28, 1922 (U. S. C., title 31, secs. 215–217), is hereby repealed, except that any claim accruing prior to such repeal may be considered, ascertained, adjusted, determined, and certified in the same manner and to the same extent as if this act were not law, and nothing contained in the exceptions in section 4 of this act shall be considered as precluding the Congress from considering claims for injuries or damages arising under said exceptions.

(c) The provisions of any act, in so far as inconsistent with the provisions of this title, are hereby repealed to the extent of such inconsistency.

TITLE II. PERSONAL INJURY AND DEATH CLAIMS

SEC. 201. (a) Subject to the limitations of this act the Government of the United States authorizes the payment of claims on account of personal injury or death, if the injury or death was either (1) proximately caused by the negligence or wrongful act or omission of any officer or employee of the Government acting within the scope of his office or employment, or (2) proximately attributable to any defect or insufficiency in any machinery, vehicle, or appliance and such defect or insufficiency was due to the negligence or wrongful omission of an officer or employee of the Government.

(b) No compensation shall be allowed for any such injury or death if the injury or death proximately results from the fact that the person injured or the decedent was intoxicated or under the influence of drugs, or if the injury or death is proximately caused by the willful misconduct of the person injured or the deceased, or by the intention of the person injured or the deceased to bring about injury or death to himself or another.

(c) No compensation shall be allowed for any such injury or death to the extent that the injury is continued or aggravated, or that the death is caused by an unreasonable refusal or negligent failure to submit to or procure medical or surgical treatment, the risk of which is, in the judgment of the United States Employees' Compensation Commission (hereinafter referred to as the commission), based upon expert medical or surgical advice, inconsiderable in view of the seriousness of the injury.

Sec. 202. (a) Authority is hereby conferred upon the commission, acting on behalf of the Government, to consider any claim liability for which is recognized under section 201, if the amount of the claim does not exceed \$7,500, and said commission shall transmit the claim with the report and recommendation to the General Accounting Office for audit and settlement. Such amount as may be found to be due to any claimant shall be certified to the Congress as a just claim for payment out of appropriations that may be made by Congress therefor, together with a brief statement of the character of each claim, the amount claimed, and the amount allowed, with a summary of the evidence upon which the allowance was made: *Provided*, That no claim shall be considered unless filed in writing with the commission within 90 days after the injury or death caused by the injury, except that for reasonable cause shown the Comptroller General may allow claims for compensation for such injury or death to be filed any time within one year thereafter: *Provided*, That the deposit in the mails of a duly registered letter addressed to the commissioner or to the head of the respective department or establishment concerned, containing notification of the claim, shall be deemed to be presentation of a claim as required by this section.

(b) Acceptance by any claimant of the amount determined under this title shall be deemed to be in full settlement of the claim against the Government of the United States and the officer or employee.

(c) The Comptroller General shall by regulation provide for the form and manner in which claims under this title shall be presented before the commission and the General Accounting Office.

Sec. 203. The President shall provide rules, including penalties for the violation thereof, for the reporting to the commission both by officers or employees of such department or establishment and by their immediate superiors of injuries or death which may become the basis of a claim under this title.

Sec. 204. (a) The compensation for personal injury shall be paid to the injured individual, except that if the individual dies before compensation has been paid, the compensation shall be allowed and paid as in the case of compensation for death.

(b) Compensation for death shall be allowed and paid as follows:

(1) Compensation shall be allowed only for death caused by injury and occurring within three years after the injury; except that no compensation shall be awarded where the death takes place more than one year after the cessation of disability resulting from such injury, or (in the absence of any such disability preceding death) more than one year after the injury.

(2) The compensation shall be allowed and paid to the following beneficiaries:

(A) To the widow or widower, or if there is no widow or widower, then to the children, share and share alike. Compensation to a child shall not be allowed unless the child is unmarried and is either under 18 years of age or, having reached the age of 18, is physically or mentally incapable of self-support. Compensation for a child under 18 years of age shall be paid to the legal guardian.

(B) To any parent or grandparent or brother or sister who was totally or partially dependent for support upon the deceased at the time of his death, having due regard for the extent of the dependency in cases of partial dependency under this paragraph.

(3) The total compensation which may be allowed on account of any one injury, or injury and death caused thereby, shall not exceed \$7,500.

(4) The right of a beneficiary to compensation for death shall not survive the death of such beneficiary.

(c) In addition to the money compensation provided under this title—

(1) In the case of personal injury, the injured individual shall be allowed such expenses for any medical, surgical, and hospital services and supplies (including artificial members and other prosthetic appliances) as the commission adjudges necessary and reasonable for care of or relief from the results of an injury, subject to such regulations as the commission may prescribe with respect to the procurement of such services and supplies.

(2) In the case of death, the personal representatives of the decedent shall be allowed such funeral and burial expenses of the decedent as the commission adjudges to be necessary and reasonable, in an amount not to exceed \$200.

Sec. 205. As used in this title—

The term "child" means (1) a legitimate child, (2) a child legally adopted prior to the death of the deceased, (3) a stepchild, if a member of the deceased's household at the time of his death, (4) a posthumous child, and (5) an illegitimate child, but as to the father only, if acknowledged in writing by him, or if he has been judicially ordered or decreed to contribute to such child's support or has been judicially decreed to be the putative father of such child: *Provided*, That an illegitimate child whose father

has not been determined by a competent court shall have the same rights as a legitimate child under this act.

(b) The term "widow" means the deceased's wife living with or dependent for support upon him at the time of his death, or living apart from him at such time because of his desertion.

(c) The term "widower" means the deceased's husband living with her at the time of her death.

(d) The term "parent" means a father, mother, father or mother through adoption, stepfather, stepmother, and persons who have stood in loco parentis to the deceased for a period of not less than two years just prior to his death.

(e) The term "grandparent" means a grandfather or grandmother.

Sec. 206. The allowance of compensation for personal injury to any claimant under this title may be denied, to such extent as the Comptroller General deems necessary, unless such claimant has, as frequently and at such times and places as may be reasonably required by the commission, submitted himself to examination by a medical officer of the United States or by a duly qualified physician, designated or approved by the commission. The individual injured may have a duly qualified physician designated and paid by him present to participate in such examination. In case of any disagreement between the physician making an examination on the part of the United States and the physician designated by the individual injured, the commission shall appoint a third physician, duly qualified, who shall make an examination. For all examinations after the first required under this title, the claimant shall, in the discretion of the commission, be paid his reasonable traveling and other expenses. Fees for examination made on the part of the United States under this title by physicians who are not already in the services of the United States shall be fixed by the commission. Such fees and traveling and other expenses shall be paid out of the appropriations for the administration of this title.

Sec. 207. (a) Any assignment of a claim of compensation under this title shall be void, and all compensation and claims therefor shall be exempt from all claims of creditors.

(b) If an injury or death for which compensation is payable under this title is caused under circumstances creating a legal liability upon some person other than the United States to pay damages therefor, the Comptroller General shall require the beneficiary to assign to the United States any right of action he may have to enforce such liability of such other person or any right which he may have to share in any money or other property received in satisfaction of such liability of such other person, or the Comptroller General may require said beneficiary to prosecute said action in his own name.

(c) If the beneficiary refuses to make such assignment or to prosecute said action in his own name when required by the Comptroller General, he shall not be entitled to any compensation under this title.

(d) The cause of action when assigned to the United States shall be prosecuted by the Comptroller General, if he shall deem recovery possible, and if the Comptroller General realizes upon such cause of action he shall apply the money or other property so received in the following manner: After deducting the amount of the compensation paid to the beneficiary, including any payments made under subdivision (c) of section 204, and the expenses of such realization, which sum shall be paid into the Treasury, the surplus, if any, shall be paid to the beneficiary.

(e) If an injury or death for which compensation is payable under this title is caused under circumstances creating a legal liability in some person other than the United States to pay damages therefor, and a beneficiary entitled to compensation from the United States for such injury or death receives, as a result of a suit brought by him or on his behalf, or as a result of a settlement made by him or on his behalf, any money or other property in satisfaction of the liability of such other person, such beneficiary shall, after deducting the costs of suit and a reasonable attorney's fee, apply the money or other property so received in the following manner:

(1) If the compensation has been paid, he shall refund to the United States so much of the amount of compensation which has been paid by the United States, including any payments made under subdivision (c) of section 204, as is not in excess of the amount of the money and property received. Any amount so refunded shall be paid into the Treasury.

(2) If the compensation has not been paid, he shall credit the money or other property so received upon any compensation payable to him by the United States on account of the same injury or death.

Sec. 208. The provisions of this title shall not apply to—

(a) Any claim for which compensation is provided by the Federal employees' compensation act, as amended (U. S. C., title 5, ch. 15), or by the World War veterans' act of 1924, as amended (U. S. C., title 38, ch. 10, as amended).

(b) Any claim for injury or death incurred in line of duty by any member of the military or naval forces of the United States in cases where relief is provided by other law.

Sec. 209. The act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., title 5, ch. 15), is amended by adding at the end thereof a new section to read as follows:

"Sec. 43. That this act may be cited as the Federal employees' compensation act."

TITLE III. MISCELLANEOUS

Sec. 301. When used in this act—

(a) The term "department or establishment" means any executive department or independent establishment not in the legislative or judicial branches of the Government, or any corporation acting as a governmental instrumentality or agency in which the United States owns or controls 51 per cent or more of the voting shares and securities, but shall not include the Panama Railroad;

(b) The term "officer or employee of the Government" means any officer or employee of any department or establishment as above defined, any member of the military or naval forces of the United States, or any other person acting on behalf of the United States in any official capacity under or by authority of any such department or establishment; and

(c) The term "acting in the scope of his office or employment," in the case of any member of the military or naval forces of the United States, means acting in line of duty and, in the case of an officer or employee of any corporation acting as a governmental instrumentality or agency, means acting in the execution of a governmental activity.

Sec. 302. In any claim brought under this act the head of the executive department or other independent establishment, court or governmental instrumentality shall, as a part of the determination or decision, determine and allow reasonable attorney's fees not to exceed 15 per cent of the amount recovered, if recovery be had, to be paid out of the amount recovered to the attorneys of the claimant. Any attorney who charges, demands, receives, or collects for services rendered in connection with such claim any amount other than that allowed under this section, if recovery be had, shall upon conviction thereof be subject to a fine of not more than \$2,000 or imprisonment for not more than one year, or both.

Sec. 303. Section 173 of the Judicial Code, as amended (U. S. C., title 28, sec. 280), is amended to read as follows:

"Sec. 173. No claim shall be allowed by the accounting officers or the head of any executive department or other independent establishment or governmental instrumentality, or by any court of the United States, or by the Congress to any person where such claimant or those under whom he claims shall willfully, knowingly, and with intent to defraud the United States have claimed more than was justly due in respect of such claim or presented any false evidence to Congress or to any department, establishment, instrumentality, or court in support thereof."

Sec. 304. The claims of persons under the age of 21 years, first accrued during minority, and of idiots, lunatics, insane persons, and persons beyond the seas at the time the claim accrued, entitled to the claim, shall not be barred if the same be filed with the head of the department within one year after the disability has ceased.

Sec. 305. This act may be cited as the "Federal tort claims act."

Mr. McNARY. Mr. President, this bill involves very large and extensive changes from the present practice established. Therefore, it would be impossible to consider it during the morning hour while we are on the calendar. So I ask that it go over for the day.

Mr. HOWELL. Mr. President, I wish the Senator would withdraw his objection. It will not take long to consider the bill, and it is a very important measure.

Mr. McNARY. That is the very reason why I am objecting to its consideration. It is too important to be considered now in the short time we have. I have not had time to study the bill. I have been amazed as I have listened to the reading of some of its provisions, and therefore, in order that we may promote legislation in a proper way, I shall insist upon my objection.

The VICE PRESIDENT. The Senator from Oregon objects, and the bill will be passed over.

RECOGNITION OF PHILIPPINE INDEPENDENCE

The bill (S. 3822) to provide for the withdrawal of the sovereignty of the United States over the Philippine Islands and for the recognition of their independence, etc., was announced as next in order.

Mr. ROBINSON of Arkansas. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

CHANGE OF NAME OF IOWA CIRCLE

The bill (H. R. 7996) to change the name of Iowa Circle in the city of Washington to Logan Circle was considered, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 4015) to provide for the revocation and suspension of operators' and chauffeurs' licenses and registration certificates; to require proof of ability to respond in damages for injuries caused by the operation of motor vehicles; to prescribe the form of and conditions in insurance

policies covering the liability of motor-vehicle operators; to subject such policies to the approval of the commissioner of insurance; to constitute the director of traffic the agent of nonresident owners and operators of motor vehicles operated in the District of Columbia for the purpose of service of process; to provide for the report of accidents; to authorize the director of traffic to make rules for the administration of this statute; and to prescribe penalties for the violation of the provisions of this act, and for other purposes, was announced as next in order.

Mr. BLAINE. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 4254) to provide for the compromise and settlement of claims held by the United States of America arising under the provisions of section 210 of the transportation act, 1920, as amended, was announced as next in order.

Mr. HOWELL. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2497) to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes, was announced as next in order.

Mr. REED. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 4561) for the relief of Sally S. Twilley was announced as next in order.

SEVERAL SENATORS. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 3644) for compensation in behalf of John M. Flynn was announced as next in order.

Mr. HOWELL. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 4555) to amend certain sections in the Code of Law for the District of Columbia relating to offenses against public policy was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 454) to establish a commission to be known as a commission on a national museum of engineering and industry was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

LAURA A. DEPODESTA

The Senate proceeded to consider the bill (H. R. 1759) for the relief of Laura A. DePodesta, which had been reported from the Committee on Claims with an amendment, on page 1, line 11, to strike out the period after the word "death," insert a comma, and add the following: "said sum to be in full settlement of all claims for damages against the Government on account of the death of her husband," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Laura A. DePodesta, widow of Anthony DePodesta, late a Lieutenant, Officers' Reserve Corps, Air Service, United States Army, who was killed in an airplane accident while in the line of duty at Langley Field, Va., on July 17, 1925, the sum of \$1,575, being a gratuity equal to six months' pay at the rate received by Lieutenant DePodesta at the time of his death, said sum to be in full settlement of all claims for damages against the Government on account of the death of her husband.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

BILLS, ETC., PASSED OVER

The joint resolution (S. J. Res. 105) to authorize the merger of street-railway corporations operating in the District of Columbia, and for other purposes, was announced as next in order.

Mr. McKELLAR. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 191) for the relief of George B. Marx was announced as next in order.

Mr. HOWELL. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 3238) for the relief of Martin E. Riley was announced as next in order.

Mr. HOWELL. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 5212) for the relief of George Charles Walther was announced as next in order.

Mr. HOWELL. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 4334) to provide for the erection of a suitable monument to the memory of the first permanent settlement of the West at Harrodsburg, Ky., was announced as next in order.

Mr. FESS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

WORK OF THE FOREST SERVICE

The bill (H. R. 10782) to facilitate and simplify the work of the Forest Service was announced as next in order.

Mr. McNARY. Mr. President, this House bill and the Senate joint resolution which immediately follows on the calendar, which I have reported as chairman of the Committee on Agriculture and Forestry, I ask to go over without prejudice.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 183) authorizing the Secretary of Agriculture to cooperate with the Territories of the United States under the provisions of sections 1 and 2 of the act of Congress entitled "An act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor," was announced as next in order.

The VICE PRESIDENT. Under the request of the Senator from Oregon, this joint resolution will be passed over.

REGULATION OF COTTON EXCHANGES

The Senate proceeded to consider the joint resolution (S. J. Res. 195) authorizing investigation of certain operations on cotton exchanges.

The joint resolution had been reported from the Committee on Agriculture and Forestry with amendments, on page 1, line 5, to strike out "1916" and insert in lieu thereof "1926"; on page 2, line 2, after the numerals "1928," to strike out the word "and"; on page 2, after the numerals "1929," to insert a comma and the words "and the first half of 1930"; on page 2, line 9, after the word "hearings," to insert the words "to contract for stenographic reporting service" and a comma; on page 2, line 10, after the word "assistants," to insert the words "in the District of Columbia and elsewhere"; on page 2, line 14, after the word "such," to insert the word "other"; on page 2, line 14, after the word "expenditures," to insert the words "including expenses for printing and binding" and a comma, so as to make the bill read:

Resolved, etc., That the Secretary of Agriculture is hereby directed to investigate through the Grain Futures Administration the cause of the 1926 decline in cotton, ascertaining the amount of cotton futures sold in 1926, the amount of short selling when the drastic slump occurred, who did this short selling, and the effect of this heavy short selling on prices, and any further information which will enable the farmers to know the true state of conditions and the parties responsible for this decline; also to make a similar investigation for 1927, 1928, 1929, and the first half of 1930, giving the amount of short selling and the amount of public participation induced to take part in these futures, and to ascertain whether or not the majority of the public lost or won on the deals, and to report this information to the Senate.

Sec. 2. That for the purposes of this resolution the Grain Futures Administration is authorized to hold hearings, to contract for stenographic reporting service, to employ experts and clerical, stenographic, and other assistants in the District of Columbia and elsewhere, to require by subpoena or otherwise the attendance of witnesses and the production of books, papers, and documents, to administer oaths, and to make such other expenditures, including expenditures for printing and binding, as it deems advisable.

Sec. 3. That to defray the necessary expenses entailed by this investigation there is hereby authorized to be appropriated out of any funds in the United States Treasury a sum not exceeding \$125,000.

The amendments were agreed to.

Mr. SMOOT. Mr. President, may I ask the Senator from Texas whether it is necessary to have \$125,000 for that purpose?

Mr. SHEPPARD. Mr. President, department officials estimated that it would take that much to make a thorough and efficient investigation. The resolution calls for information which is very much needed, and which has never been ascertained, to wit, information as to the effect of short selling practices on cotton prices. It would be worth many, many times the expense of an investigation if we could get that information.

Mr. SMOOT. I have no question as to the advisability of getting the information, but it seems to me that \$125,000 is entirely too much money to expend for that purpose.

Mr. SHEPPARD. I would accept an amendment making the amount \$100,000.

Mr. SMOOT. That is what I had in mind. Whatever applies to one cotton exchange will apply to every such exchange in the United States, because their practices are exactly the same. So it would be necessary to make an investigation of only one exchange.

Mr. SHEPPARD. I would accept an amendment providing for a smaller amount, and we would try to get along with that.

Mr. SMOOT. I thought that \$75,000 would be sufficient.

Mr. SHEPPARD. Very well; I accept that amount.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 2, line 19, to strike out "\$125,000" and insert in lieu thereof "\$75,000."

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

APPROPRIATIONS FOR THE DISTRICT OF COLUMBIA

The joint resolution (H. J. Res. 373) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1931, and for other purposes, was announced as next in order.

Mr. BINGHAM. Mr. President, this joint resolution was intended to take the place of the District of Columbia appropriation bill, which, it will be remembered, passed in the final hours of the last session. Therefore it is no longer needed, and I move that it be indefinitely postponed.

The motion was agreed to.

LEAVES OF ABSENCE IN THE DISTRICT OF COLUMBIA

The bill (S. 4597) to provide educational employees of the public schools of the District of Columbia with leave of absence with part pay for purposes of educational improvement, and for other purposes, was announced as next in order.

Mr. KING. Mr. President, some suggestions have been brought to my attention which may call for amendments, and, not anticipating that the bill would be reached this morning, I have not prepared them. I will ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

GRAND CALUMET RIVER BRIDGE, INDIANA

The Senate proceeded to consider the bill (H. R. 13035) to extend the times for commencing and completing the construction of a bridge across the Grand Calumet River at East Chicago, Ind., which was read the third time and passed.

REFUND TO FARMERS' GRAIN CO., NEBRASKA

The Senate proceeded to consider the bill (S. 899) authorizing the Treasurer of the United States to refund to the Farmers' Grain Co., of Omaha, Nebr., income taxes illegally paid to the United States Treasurer, which had been reported from the Committee on Claims with an amendment, on page 1, line 5, after the numerals "\$2,186.36," to strike out the comma and the words "with interest at 7 per cent," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to refund, from moneys not otherwise

appropriated, the sum of \$2,186.36 to the Farmers' Grain Co., of Omaha, Nebr., this sum being paid illegally and through error by said company as income taxes to the Commissioner of Internal Revenue and covered into the United States Treasury.

The amendment was agreed to.

Mr. REED. Mr. President, will some one explain to us why that money was not recovered in the ordinary way through refunds at the Treasury?

Mr. NORRIS. Mr. President, I will say to the Senator that this money was paid upon the demand of a Treasury official, and it was afterwards ascertained, and the Treasury Department admit, that the collection was illegal; that they had no right to demand it. The money was paid into the Treasury and became a part of the funds in the Treasury, and the statute of limitations ran.

All this bill does is to authorize the payment of a claim which is admitted to be correct except for the technicality that the statute of limitations has intervened. There is no question about the money being illegally and wrongfully collected.

Mr. REED. The Senator does not believe in abolishing the statute of limitations as to these tax returns, surely?

Mr. NORRIS. No; I do not. The statute of limitations is all right; but this was money paid upon demands made by representatives of the Government, as I understand it, after the taxpayers had paid their taxes. An examination was made and the officials claimed there was more due, and the taxpayers paid it. It was afterwards discovered that what they had paid in the first place was the correct amount, and that this second payment had been illegally demanded. A good many of these cooperative institutions are not familiar with the law, and they allowed their rights to lapse.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield to a question?

Mr. NORRIS. Certainly.

Mr. ROBINSON of Arkansas. Is there any question as to the illegality of the tax which the bill seeks to refund?

Mr. NORRIS. According to my understanding, there is no question whatever about it.

Mr. BLACK. Mr. President, there is not only no question about it, but the Government admits that it owes this cooperative association money.

Mr. NORRIS. That is correct; the Government does not deny it.

Mr. ROBINSON of Arkansas. The Government has really benefited, then, by the failure to secure a refund within the limitation period?

Mr. NORRIS. It has had the use of the money all this time.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. FESS. Mr. President, if I understand the Senator from Nebraska correctly, the only question here is that the statute of limitations has run against the claim?

Mr. NORRIS. Yes.

Mr. FESS. This bill simply provides for refunding the money?

Mr. NORRIS. That is right.

The bill was ordered to a third reading, read the third time, and passed.

FAIRMONT CREAMERY CO., NEBRASKA

The Senate proceeded to consider the bill (S. 3620) for the relief of the Fairmont Creamery Co., of Omaha, Nebr., which had been reported from the Committee on Claims with an amendment, on page 1, line 11, after the word "due" to insert a colon and the words "Provided, That in the settlement of said claim there shall be no allowance of interest," so as to make the bill read:

Be it enacted, etc., That the Commissioner of Internal Revenue is hereby authorized and directed to receive, consider, and determine, in accordance with law, but without regard to any statute of limitations, any claim filed not later than six months after the passage of this act, by the Fairmont Creamery Co., Omaha, Nebr., for the refund of Federal income and profits taxes collected from the said Fairmont Creamery Co. for 1918 in excess of the amount properly due: *Provided, That in the settlement of said claim there shall be no allowance of interest.*

SEC. 2. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to the said Fairmont Creamery Co. any amount allowed in the determination of any claim filed in accordance with this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LEBANON EQUITY EXCHANGE, NEBRASKA

The Senate proceeded to consider the bill (S. 4018) for the relief of the Lebanon Equity Exchange, of Lebanon, Nebr., which had been reported from the Committee on Claims with an amendment, on page 1, line 11, after the word "due," to insert a colon and the words "Provided, That in the settlement of said claim there shall be no allowance of interest," so as to make the bill read:

Be it enacted, etc., That the Commissioner of Internal Revenue be, and he is hereby, authorized and directed to receive, consider, and determine, in accordance with law but without regard to any statute of limitations, any claim filed not later than six months after the passage of this act by the Lebanon Equity Exchange, Lebanon, Nebr., for the refund of Federal income and profits taxes collected from the said Lebanon Equity Exchange for the year 1920 in excess of the amount properly due: *Provided, That in the settlement of said claim there shall be no allowance of interest.*

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DR. COOPER NICHOLSON

The Senate proceeded to consider the bill (S. 4274) for the relief of Dr. Cooper Nicholson, which had been reported by the Committee on Claims with an amendment to strike out all after the enacting clause and to insert:

That sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Dr. Cooper Nicholson, who suffered an injury to his left eye while in charge of Main Hospital No. 1, at Muscle Shoals, Ala., during the World War.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Dr. Cooper Nicholson."

ESTATE OF BENJAMIN BRAZNELL

The bill (S. 457) for the relief of the estate of Benjamin Braznell was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Commissioner of Internal Revenue be, and he is hereby, authorized and directed to reopen and allow the claim of the Braddock Trust Co., executor of the estate of Benjamin Braznell, late of Pittsburgh, Pa., and refund the sum of \$2,323.47, the balance of taxes illegally collected under existing laws and decisions.

EMMETT BROOKS

The bill (H. R. 10093) for the relief of Emmett Brooks was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement of all claims against the Government, the sum of \$351.05 to Emmett Brooks in payment for fees as United States commissioner for services rendered for the period beginning with the January quarter, 1925, and ending with the March quarter, 1929.

COMPENSATION OF EMPLOYEES IN CUSTOMS SERVICE

The bill (H. R. 12742) to amend the act entitled "An act to adjust the compensation of certain employees in the Customs Service," approved May 29, 1928, was announced as next in order.

Mr. KING. Mr. President, I would like to ask the chairman of the Committee on Finance if the bill has the unanimous support of the committee.

Mr. SMOOT. Mr. President, it has the unanimous support of the Finance Committee and the approval of the department.

The Comptroller General issued a number of decisions, which affected adversely the provisions in the original bill, and this measure is simply to meet the legal points raised by the Comptroller General. For example, the Comptroller General ruled that if an inspector of customs, who was receiving \$2,100 per annum, was transferred to the position of clerk, he would be compelled to suffer a reduction in salary to \$1,700 per annum. There were a number of other similar points in the Comptroller General's decisions, and this measure is simply to overcome the objections raised by the Comptroller General, but in no way increases the rates of compensation specified in the original bill passed two years ago.

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act entitled "An act to adjust the compensation of certain employees in the Customs Service," approved May 29, 1928, be, and it is hereby, amended to read as follows:

"SECTION 1. The following annual rates of compensation are hereby established for the employees in the Customs Service hereinafter specified:

"(a) Laborers, \$1,500.

"(b) Verifiers-openers-packers, \$1,680, \$1,740, \$1,800, \$1,860, \$1,920, \$1,980, and \$2,040.

"(c) Clerks, entrance salary, \$1,700; clerks having one year's satisfactory service, \$1,800; clerks having two years' satisfactory service, \$1,900; clerks having three years' satisfactory service, \$2,000; clerks having four years' satisfactory service, \$2,100; thereafter promotion of clerks to higher rates of compensation shall be in accordance with existing law.

"(d) Customs guards, \$1,860, \$1,920, \$1,980, \$2,040, \$2,100, \$2,200, \$2,300, and \$2,400.

"(e) Inspectors, \$2,100, \$2,200, \$2,300, \$2,400, \$2,500, \$2,600, \$2,700, \$2,800, \$2,900, \$3,000, \$3,100, \$3,200, and \$3,300.

"(f) Station inspectors, \$3,000, \$3,100, \$3,200, \$3,300, \$3,400, \$3,500, and \$3,600.

"Sec. 2. All new appointments of employees specified in section 1 shall be made at the minimum rate of the appropriate salary range: *Provided, however,* That the Secretary of the Treasury is authorized to waive the foregoing provision of this section in the case of employees who are transferred from a position in any class specified in section 1 or from any position in the Customs Service to a position in any of the classes specified in section 1, including that of clerk when such transfer is made in the interest of good administration: *Provided further,* That in fixing the entrance salary of clerks transferred from any position in the Customs Service or the Bureau of Customs, and in giving them increases in pay at any time thereafter, as provided in section 1 (c) of this act, credit may be given for all previous continuous service in the Customs Field Service or in the Bureau of Customs, whether clerical or otherwise, in positions requiring a first-grade clerical, or higher grade, civil-service examination.

"Sec. 3. Nothing in this act shall be construed to prevent the promotion at any time of any employee from a position in any of the grades or classes specified in section 1 of this act to a vacancy in a position administratively allocated to any grade under authority of section 3 of the act approved May 28, 1928, entitled 'An act to amend the salary rates contained in the compensation schedules of the act of March 4, 1923, entitled "An act to provide for the classification of civil positions within the District of Columbia and in the field services,"' or to a vacant position legally allocated to any grade created by or under authority of Congress after the passage of this act, regardless of the period of time the employee has served and regardless of the designation of the vacant position, and when so promoted such employee shall receive the compensation authorized by law for such positions and thereafter shall cease to be affected by the provisions of section 1 of this act; and nothing contained herein shall be construed to reduce the rate of compensation of any employee in the Customs Service.

"Sec. 4. There are hereby authorized to be appropriated such sums as may be necessary to pay the rates of compensation herein established.

"Sec. 5. This act shall be effective as of the date of its enactment: *Provided, however,* That all promotions, transfers, reinstatements, and other changes heretofore made with the approval of the Secretary of the Treasury affecting the pay status of any employee in which credit was given for previous satisfactory non-continuous service in the Customs Field Service or Bureau of Customs or which conform to the provisions of the act of May 29, 1928, as amended by this act, are hereby ratified and made effective as of their designated effective dates."

PIONEER STEAMSHIP CO.

The bill (S. 896) to pay the Pioneer Steamship Co. the sum of \$3,100.50, money paid as duty for repairs in foreign ports, was considered. The bill had been reported from the Committee on Claims, with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Pioneer Steamship Co., of Cleveland, Ohio, the sum of \$3,100.50 for money paid as duty upon certain repairs in foreign ports.

Mr. KING. Mr. President, I would like to ask under what theory the duty was collected because, as I recall the law, necessary repairs in foreign ports do not call for the payment of duty upon the ship coming into the United States.

The VICE PRESIDENT. The Senator reporting the bill is not in the Chamber.

Mr. KING. Let it go over, then.

Mr. HOWELL. Has the bill gone over?

Mr. KING. If the Senator from Nebraska can offer the explanation, I do not ask that it go over. I ask merely for some information.

Mr. HOWELL. This is a case where five vessels of the Pioneer Steamship Co. on their last voyage in 1917 were detained in Canadian waters and were there during the winter. Certain repairs were made upon one of the steamships, those repairs being necessary. As a result, a tax or duty was levied upon those repairs. Inasmuch as the vessels were then conveying or had been conveying cargoes for the Government, through the Food Administration, it was urged by the company that they were entitled to a refund because they were not responsible for their vessels being tied up as they were.

The Secretary of the Treasury said he did not believe that exceptions should be made, as exceptions were not provided for under the law, but that if Congress saw fit to give such a bill favorable consideration, he would advise the adoption of the bill which is before the Senate at this time. The Claims Committee took the matter under consideration and believes that the steamship company is entitled to a refund under the circumstances.

Mr. KING. The question I had in mind was whether or not the vessels came under the section of the statute which provides that certain repairs in foreign ports are not to be subject to the tariff duties that were laid by the laws of the United States.

Mr. HOWELL. No; the repairs did not come under any such provision. The repairs came under the provision of the statute which requires a duty to be levied.

Mr. KING. I fancy that if we enact this legislation, though I am not opposed to it, we will have many applications for similar refunds. Personally, I believe that American boats should be permitted to have repairs made in foreign ports without being required to pay a duty thereon. If we should do that, we would facilitate to a very large degree the construction of vessels and encourage our merchant marine.

Mr. SMOOT. Mr. President, I will say to my colleague that this is a case where the Food Administration ordered the ships to go to this port. It was not as if the company had exercised their own authority to send them to a foreign port. I agree with my colleagues that except in such a case I would never vote for a repayment to be made, but as the Food Administration ordered the ships there and they had to go there, it seems to me it is nothing more than right that they should have the refund.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time and passed.

DONATION OF TROPHY GUN TO F. D. HUBBEL RELIEF CORPS

The bill (H. R. 4050) donating trophy gun to F. D. Hubbel Relief Corps, No. 103, of Hillsboro, Ill., was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of War, in his discretion, is hereby authorized to deliver to the order of the F. D. Hubbel Relief Corps, No. 103, Hillsboro, Ill., Auxiliary to the Grand Army of the Republic, one trophy gun, stored in the Watervliet Arsenal at Watervliet, N. Y., and described as follows: Twelve pounder, weight 1,000 pounds, diameter bore 4½ inches, length 58½ inches, and marked 1862: *Provided,* That the United States shall be put to no expense in connection with the delivery of said gun.

NINTH INTERNATIONAL DAIRY CONGRESS

The joint resolution (H. J. Res. 333) to authorize an appropriation of \$10,000 for the expenses of participation by the United States in the Ninth International Dairy Congress, Copenhagen, Denmark, 1931, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That for the purpose of defraying the expenses of participation of the Government of the United States by means of delegates in the Ninth International Dairy Congress, to be held in Copenhagen, Denmark, in July, 1931, an appropriation in the sum of \$10,000, or so much thereof as may be necessary, is hereby authorized for travel expenses, subsistence or per diem in lieu thereof (notwithstanding the provisions of any other act), printing and binding, compensation of employees, rent, official cards, entertainment, and such other expenses as the President shall deem proper.

GREAT LAKES BRIDGE COMMISSION

The bill (S. 4769) to amend an act entitled "An act creating the Great Lakes Bridge Commission and authorizing said commission and its successors to construct, maintain, and operate a bridge across the St. Clair River at or near Port Huron, Mich.," approved June 25, 1930, being Public Act No. 433 of the second session of the Seventy-first Congress, was announced as next in order.

Mr. VANDENBERG. Pending certain inquiries I wish to make with respect to the development of this project since the last session of Congress, I ask that the bill may go over without prejudice.

The VICE PRESIDENT. The bill will be passed over.

SUITS AGAINST THE UNITED STATES

The joint resolution (S. J. Res. 201) consenting that certain States may sue the United States, and providing for trial on the merits in any suit brought hereunder by a State to recover direct taxes alleged to have been illegally collected by the United States during the fiscal years ending June 30, 1866, 1867, 1868, and vesting the right in each State to sue in its own name, was announced as next in order.

Mr. KING. Let the joint resolution go over.

The VICE PRESIDENT. The joint resolution will be passed over.

AMENDMENT OF SECTION 335 OF CRIMINAL CODE

The bill (H. R. 10341) to amend section 335 of the Criminal Code was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 335 of the Criminal Code, chapter 321, paragraph 335; Thirty-fifth Statutes, page 1152 (sec. 541, title 18, U. S. C.), be amended to read as follows:

"All offenses which may be punished by death or imprisonment for a term exceeding one year shall be deemed felonies. All other offenses shall be deemed misdemeanors: *Provided*, That all offenses the penalty for which does not exceed confinement in a common jail, without hard labor for a period of six months, or a fine of not more than \$500, or both, shall be deemed to be petty offenses; and all such petty offenses may be prosecuted upon information or complaint."

REPEAL OF OBSOLETE STATUTES

The bill (H. R. 10198) to repeal obsolete statutes and to improve the United States Code was considered.

The bill had been reported from the Committee on the Judiciary, with amendments as follows:

On page 2, at the proper place, insert:

40 Stat. 152, seventh paragraph, act of June 12, 1917, c. 27..... Title 16, sec. 116.

Also, on the same page, at the proper place, to strike out:
32 Stat. 203, sec. 3, act of May 22, 1902, c. 820..... Title 16, sec. 123.

Also, on the same page, at the proper place, to insert:

40 Stat. 152, twelfth paragraph, act of June 12, 1917, c. 27..... Title 16, sec. 135.

Also, on the same page, to strike out:

R. S. 2052..... Title 25, sec. 26.
27 Stat. 120, first proviso, act of July 13, 1892, c. 164; 30 Stat. 573, first proviso, act of July 1, 1898, c. 545..... Title 25, sec. 27.

R. S. 2056, as amended by 22 Stat. 87, act of May 17, 1882, c. 163..... Title 25, sec. 28.

R. S. 2060..... Title 25, sec. 30.
R. S. 2061..... Title 25, sec. 38.

R. S. 2080..... Title 25, sec. 72.
R. S. 2083..... Title 25, sec. 91.

R. S. 2084..... Title 25, sec. 92.

Also, on the same page, to strike out:

R. S. 2098..... Title 25, sec. 126.
R. S. 2100..... Title 25, sec. 127.
18 Stat. 424, last clause of seventh paragraph, act of March 3, 1875, c. 132..... Title 25, sec. 129.

Also, on the same page, to strike out:

34 Stat. 1174, last paragraph, act of March 2, 1907, c. 2511..... Title 32, sec. 34.
43 Stat. 606, sec. 9, act of June 7, 1924, c. 316..... Title 33, sec. 425.
R. S. 1413..... Title 34, sec. 141.
R. S. 1414..... Title 34, sec. 142.
R. S. 1415..... Title 34, sec. 143.
R. S. 1438..... Title 34, sec. 144.
R. S. 1439..... Title 34, sec. 145.

Also, on page 3, to strike out:

40 Stat. 430, act of December 20, 1917, c. 6..... Title 43, sec. 236.
41 Stat. 271, fifth complete paragraph, act of July 24, 1919, c. 26..... Title 43, sec. 237.
34 Stat. 1248, act of March 2, 1907, c. 2568..... Title 43, sec. 262.
35 Stat. 350, third complete paragraph, act of May 27, 1908, c. 200..... Title 43, sec. 379.
40 Stat. 675, thirteenth complete paragraph, act of July 1, 1918, c. 113..... Title 43, sec. 380.
44 Stat. 650, sec. 49, act of May 25, 1926, c. 383..... Title 43, sec. 423g (appendix).

Also, on page 3, to strike out:

R. S. 2354..... Title 43, sec. 673.
R. S. 2355..... Title 43, sec. 674.
R. S. 2365..... Title 43, sec. 676.

Also, on page 4, to strike out:

33 Stat. 64, act of March 9, 1904, c. 503..... Title 43, sec. 1167.

Also, on page 4, to insert:

R. S. 4205..... Title 46, sec. 99.

Also, on page 4, to strike out "393, first eighteen paragraphs" and to strike out "336" and insert "337," so as to make the bill read:

Be it enacted, etc., That the following obsolete sections and parts of sections of the Revised Statutes and Statutes at Large are hereby repealed:

Statutes (Stat. or R. S.)	U. S. Code
R. S. 162.....	Title 5, sec. 26.
R. S. 196.....	Title 5, sec. 107.
12 Stat. 505, sec. 6, act of July 2, 1862, c. 130.....	Title 7, sec. 306.
R. S. 1156.....	Title 10, sec. 182.
R. S. 1243, first sentence.....	Title 10, sec. 941.
39 Stat. 308, fifth complete paragraph, act of July 1, 1916, c. 209.....	Title 16, sec. 42.
34 Stat. 832, sec. 3, resolution of June 11, 1906, No. 27.....	Title 16, sec. 50.
39 Stat. 308, third complete paragraph, act of July 1, 1916, c. 209.....	Title 16, sec. 56.
40 Stat. 152, fifth paragraph, act of June 12, 1917, c. 27.....	Title 16, sec. 106.
40 Stat. 152, seventh paragraph, act of June 12, 1917, c. 27.....	Title 16, sec. 116.
40 Stat. 152, twelfth paragraph, act of June 12, 1917, c. 27.....	Title 16, sec. 135.
32 Stat. 765, secs. 3 and 4, act of January 9, 1903, c. 63.....	Title 16, secs. 143, 144.
36 Stat. 1421, second sentence of seventh complete paragraph, act of March 4, 1911, c. 285.....	Title 16, sec. 180.
R. S. 2463.....	Title 16, sec. 597.
20 Stat. 470-471, secs. 1 and 2, act of March 3, 1879, c. 189.....	Title 16, secs. 598, 599.
28 Stat. 814, act of March 2, 1895, c. 182.....	Title 16, sec. 600.
35 Stat. 71, first complete paragraph, except the second proviso, act of April 30, 1908, c. 153.....	Title 25, sec. 94.
35 Stat. 73, third proviso, act of April 30, 1908, c. 153.....	Title 25, sec. 103.
37 Stat. 490, act of August 24, 1912, c. 367.....	Title 30, secs. 111-113.
R. S. 3482.....	Title 31, sec. 208.
24 Stat. 402, sec. 3, act of February 12, 1887, as amended by 34 Stat. 450, sec. 3, act of June 22, 1906, c. 3515.....	Title 32, sec. 32.
30 Stat. 1007, sec. 11, act of March 3, 1899, c. 413.....	Title 34, sec. 391.
34 Stat. 554, second complete paragraph, act of June 29, 1906, c. 3590.....	Title 34, sec. 392.
35 Stat. 753, last paragraph, act of March 3, 1909, c. 255.....	Title 34, sec. 393.
33 Stat. 349, last paragraph, act of April 27, 1904, c. 1622.....	Title 34, sec. 682.
34 Stat. 554, third complete paragraph, act of June 29, 1906, c. 3590.....	Title 34, sec. 683.
R. S. 2469.....	Title 43, sec. 19.
R. S. 2470.....	Title 43, sec. 20.
R. S. 461, as amended by 25 Stat. 76, act of April 2, 1888, c. 54, and 35 Stat. 469, sec. 15, act of May 29, 1908, c. 220; 25 Stat. 657, act of October 12, 1888, c. 1098.....	Title 43, sec. 21.
R. S. 2230.....	Title 43, sec. 61.
R. S. 2231.....	Title 43, sec. 62.
R. S. 2232.....	Title 43, sec. 63.
31 Stat. 270, sec. 3, except the proviso, act of June 5, 1900, c. 716.....	Title 43, sec. 181.
32 Stat. 389, sec. 5, third sentence, act of June 17, 1902, c. 1093.....	Title 43, sec. 476.
R. S. 2353.....	Title 43, sec. 672.
R. S. 2356.....	Title 43, sec. 677.
R. S. 2364.....	Title 43, sec. 683.
R. S. 2358.....	Title 43, sec. 684.
R. S. 2359.....	Title 43, sec. 685.
19 Stat. 221, sec. 2, act of January 12, 1877, c. 18.....	Title 43, sec. 686.
R. S. 2360.....	Title 43, sec. 687.
R. S. 2398.....	Title 43, sec. 754.
R. S. 2399, as amended by 26 Stat. 650, act of October 1, 1890, c. 1262, 28 Stat. 285, act of August 15, 1894, c. 288, and 32 Stat. 120, act of April 26, 1902, c. 592.....	Title 43, sec. 755.

Statutes (Stat. or R. S.)	U. S. Code
R. S. 2400.....	Title 43, sec. 756.
R. S. 2404.....	Title 43, sec. 764.
R. S. 2405.....	Title 43, sec. 765.
R. S. 2407.....	Title 43, sec. 767.
R. S. 2411.....	Title 43, sec. 771.
37 Stat. 687, act of February 27, 1913, c. 85.....	Title 43, sec. 860.
R. S. 4205.....	Title 46, sec. 99.
34 Stat. 1162, both provisos, act of March 2, 1907, c. 2511.....	Title 48, sec. 4.
36 Stat. 248, thirteenth paragraph, act of March 23, 1910, c. 115.....	Title 48, sec. 5.
31 Stat. 328, sec. 17, act of June 6, 1900, c. 786.....	Title 48, sec. 28.
31 Stat. 333, sec. 32, except the first two sentences, act of June 6, 1900, c. 786, as amended by 33 Stat. 1266, sec. 2, act of March 3, 1905, c. 1497.....	Title 48, sec. 42.
33 Stat. 1266, sec. 3, act of March 3, 1905, c. 1497.....	Title 48, sec. 65.
33 Stat. 391, act of April 27, 1904, c. 1629.....	Title 48, sec. 331-337.
40 Stat. 604, act of June 13, 1918, c. 97.....	Title 48, sec. 618.
25 Stat. 489, sec. 1, act of September 22, 1888, c. 1028.....	Title 50, sec. 11.
26 Stat. 769, last paragraph, act of February 24, 1891, c. 283.....	Title 50, sec. 12.
31 Stat. 910, second proviso, act of March 2, 1901, c. 803.....	Title 50, sec. 13.
27 Stat. 461, proviso, act of February 18, 1893, c. 136.....	Title 50, sec. 14.
25 Stat. 491, first two complete paragraphs, act of September 22, 1888, c. 1028.....	Title 50, sec. 15.

SEC. 2. Rights or liabilities existing under the foregoing statutes or parts thereof on the date of the enactment of this act shall not be affected thereby.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

WAIVER OF TRIAL BY JURY

The bill (H. R. 12056) providing for the waiver of trial by jury in the district courts of the United States was announced as next in order.

Mr. McKELLAR. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over. That completes the calendar.

MOTOR-BUS TRANSPORTATION

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 10288) to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways.

Mr. McNARY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk (Harvey A. Welsh) called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	King	Shortridge
Barkley	Frazier	La Follette	Simmons
Bingham	George	McGill	Smith
Black	Gillett	McKellar	Smoot
Blaine	Glenn	McMaster	Steiwer
Blease	Goff	McNary	Stephens
Borah	Goldsborough	Morrow	Swanson
Brock	Gould	Moses	Thomas, Idaho
Brookhart	Greene	Norbeck	Thomas, Okla.
Broussard	Hale	Norris	Townsend
Bulkeley	Harris	Nye	Trammell
Capper	Harrison	Oddie	Tydings
Caraway	Hastings	Overman	Vandenberg
Carey	Hatfield	Patterson	Wagner
Connally	Hayden	Phipps	Walcott
Copeland	Hebert	Pine	Walsh, Mass.
Couzens	Heflin	Pittman	Walsh, Mont.
Cutting	Howell	Reed	Waterman
Dale	Johnson	Robinson, Ark.	Watson
Davis	Jones	Robinson, Ind.	Wheeler
Deneen	Kean	Schall	Williamson
Dill	Kendrick	Sheppard	
Fess	Keyes	Shipstead	

The VICE PRESIDENT. Ninety Senators have answered to their names. A quorum is present. The bill is open to amendment.

Mr. COPELAND. Mr. President, may I ask the Senator from Michigan [Mr. COUZENS] about the date found on page 12?

Mr. COUZENS. My intention is to ask the Senate to agree to the date of December 1.

Mr. COPELAND. Is the Senator proposing that amendment now?

Mr. COUZENS. I shall propose it, but I was waiting until we had practically concluded the bill, because I did not know how long its consideration might take.

Mr. COPELAND. I hope the Senator will move the amendment, because it was the date I had in mind in case the bill is promptly passed.

Mr. COUZENS. I am ready and willing to do it, but I think we had better get through with the other amendments first.

Mr. COPELAND. Very well.

The VICE PRESIDENT. The bill is before the Senate and is open to amendment.

Mr. GLENN. I offer the amendment which I send to the desk, which, I understand, is acceptable to the chairman of the committee, the Senator from Michigan [Mr. COUZENS]. The amendment adds a proviso at the end of line 25, on page 20 of the bill.

The VICE PRESIDENT. Let the amendment proposed by the Senator from Illinois be reported.

The LEGISLATIVE CLERK. At the end of line 25, on page 20, it is proposed to insert the proviso:

Provided, That nothing herein shall be construed to prevent railroad corporations from organizing or operating motor carriers where no consolidation, merger, or acquisition of control of motor carriers now existing is involved in such organization or operation.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Illinois.

Mr. COUZENS. Mr. President, while the Senator from Illinois and I disagree as to the necessity of the amendment just stated, I can not see any objection to it, and, so far as I am concerned, I am willing that it shall be accepted.

Mr. WALSH of Montana. Mr. President, my attention was momentarily diverted, and I ask that the amendment may again be stated.

The VICE PRESIDENT. The amendment proposed by the Senator from Illinois will be again stated.

The legislative clerk again read the amendment proposed by Mr. GLENN.

Mr. WALSH of Montana. Let me inquire what is the significance of the two words "now existing"?

Mr. GLENN. The idea involved in that language is that after the date of the passage of this measure the railroads will have the right not to buy existing bus lines or to merge or control existing bus lines, but to inaugurate new bus lines where none exist.

Mr. WALSH of Montana. Yes; but the language of the proposed amendment is—

That nothing herein shall be construed to prevent railroad corporations from organizing or operating motor carriers where no consolidation, merger, or acquisition of control of motor carriers now existing is involved.

As it seems to me, that would mean that in the future bus lines could be absorbed by merger or other organization of a similar character. The words "now existing" in the amendment obviously refer to a merger.

Mr. GLENN. If the words "now existing" should be stricken from the amendment, how would the amendment then read?

Mr. WALSH of Montana. The amendment, if so modified, would then read:

That nothing herein shall be construed to prevent railroad corporations from organizing or operating motor carriers where no consolidation, merger, or acquisition of control of motor carriers is involved in such organization or operation.

That would be quite all right.

Mr. GLENN. That would leave the language of the bill as it is now, I think.

Mr. WALSH of Montana. That is what I had in mind—that the words "now existing" are really the meat of the amendment as proposed by the Senator from Illinois.

Mr. COUZENS. I think the Senator from Montana is correct, because if those words should remain in the amendment then in the future any bus line might be acquired.

Mr. WALSH of Montana. Exactly.

Mr. COUZENS. We ought to prevent that.

Mr. WALSH of Montana. That is to say, if after the passage of the bill a merger is organized that merger will be entitled to take within its scope a bus line either now existing or that may be established in the future.

Mr. GLENN. That was not the intention I had. What I desire is—and I do not care what the language may be; the Senator from Michigan [Mr. COUZENS] and I are in accord—to permit railroad corporations to inaugurate new bus lines where none now exist. It is the idea of the Senator from Michigan that the bill in its present form, if enacted, would permit that to be done. I am not at all satisfied that it would do so.

Mr. COUZENS. I believe the amendment is unnecessary. I think railroads would be permitted under the present form of the proposed act to take such action without the amendment now proposed by the Senator from Illinois; but the Senator differs with me, and, so long as the intention is not to change the purport of the bill as it now stands, I do not see any objection to the proposed proviso. I do see objection, however, to using the words "now existing," because it is possible under that language that in the future bus lines might be consolidated or merged with railroad companies.

Mr. ROBINSON of Arkansas. Mr. President, pending the private discussion of this matter by Senators, I should like to submit a question of some general significance to the chairman of the committee. The question is whether his committee considered the inclusion of trucks within the provisions of this bill, and, if not, why they were not included?

Mr. COUZENS. The Senator from Utah [Mr. KING] asked that question yesterday. The best explanation I could give of it was that some years ago the owners of both passenger busses and trucks engaged in the freight business appeared before the committee and discussed proposed legislation. However, they were unable to agree as between the passenger and the freight business, and we could not get anywhere. There seems to be less need for the regulation of busses engaged in the freight-carrying business, because they were mostly contract carriers rather than common carriers.

When this bill was introduced in the House by the chairman of the committee in that body and in the Senate by me it was proposed in pursuance of an agreement reached by the operators of passenger motor busses. They agreed among themselves upon legislation, but they could not get together with the operators of the trucks. Since that time no one has appeared before the committee to ask for legislation to regulate trucks engaged in the freight business.

Mr. ROBINSON of Arkansas. The opportunity has not been afforded me to make that careful study of the subject to which it is entitled before legislation concerning it is enacted; but I think every Senator knows that under present conditions there is quite as much necessity, if not a greater necessity, for the regulation of the trucks that are being operated in the carriage of freight as there is for the regulation of motor busses used for carrying passengers. Anyone who takes a trip by automobile through several States will see lines of freight busses being operated. In numerous instances they carry loads that tax the capacity of the bridges on the public highways. Within 10 days a motor-propelled truck on a highway that runs to the South—a national highway, one of the most important in the Nation—carrying a load, according to the press, of 21,000 pounds, attempted to pass over a bridge on the highway. The bridge broke down; the driver of the truck was killed; and passenger traffic was for an indefinite period diverted over an almost impossible detour, the worst detour that I ever passed over in an automobile. In all probability that condition will continue for a prolonged period.

Now it occurs to me that while we are dealing with this subject it is a mistake not to include trucks used in the hauling or carriage of freight. I merely make that statement to the Senator with a view to ascertaining whether, in his opinion, it is practicable to deal with the question in this bill.

Mr. COUZENS. I hardly think so, because no hearings have been held and no one has been given an opportunity to be heard with respect to the regulation of trucks engaged

in carrying freight. Furthermore, if the Senator will permit me, I think that the question of the weight of loads is one subject to regulation by the States if the States desire to regulate it.

Mr. ROBINSON of Arkansas. Without doubt, and my information is that in the instance cited the State had announced the capacity of the bridge as approximately one-third of the weight carried by the freight truck.

Mr. COUZENS. We have not attempted in any way to usurp any police powers of any State by this bill.

Mr. ROBINSON of Arkansas. I understand that, but the point I am trying to make is that the circumstances which call for the regulation of motor vehicles used in the carriage of passengers apply with equal, if not with greater force, to trucks used in the carriage of freight—at least it seems so to me.

Mr. COUZENS. Nothing has been presented to the committee, I may say to the Senator, but the committee is perfectly willing to go ahead and consider any legislation which may be proposed for the regulation of motor trucks engaged in the carrying of freight. I think, however, that would be a subject which could not be dealt with in this particular bill by way of amendment, because, as I have said, no hearings have been held and no consideration has been given to the question of the regulation of the carriage of freight by trucks in interstate commerce.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. JONES in the chair). Does the Senator from Michigan yield to the Senator from Kentucky?

Mr. COUZENS. I yield.

Mr. BARKLEY. What the Senator from Arkansas has said about the necessity for some sort of regulation of interstate freight busses is undoubtedly correct. The railroads have been compelled to discontinue many of their local passenger trains because of the operation of bus lines, and likewise they have been compelled to discontinue what are known as local freight trains in some sections of the country because of the motor-truck freight business. Yet it takes a little different type of regulation, I think, for the truck business than for the passenger business.

When the bill came over from the House it contained no provision affecting carriage of freight by trucks, and in view of the emergency that seemed to exist at the time the committee voted this bill out; it was not thought wise to try to include legislation that might have to be different in type from that included in the bill. However, the same analogy applies to the situation in the truck-freight business as applies in the passenger-bus business, and sooner or later Congress will have to regulate the operation of motor trucks.

Mr. ROBINSON of Arkansas. They both occupy the whole highway; they crowd into the ditches the lighter vehicles, and frequently they are recklessly driven. I saw in coming to Washington within 10 days the wrecks of three automobiles that were said to have been caused by collisions with trucks.

Mr. BARKLEY. I had one myself.

Mr. ROBINSON of Arkansas. I had not expected to make a personal matter of it with the Senator from Kentucky.

The PRESIDING OFFICER. The Chair desires to state to the Senator from Illinois that before the amendment offered by him can be considered the vote by which the amendment to which it is an amendment was agreed to will have to be reconsidered. Without objection, the vote by which the amendment in line 18, on page 20, was adopted will be reconsidered. The Chair hears no objection. The amendment of the Senator from Illinois is now in order.

Mr. GLENN. Mr. President, referring to the amendment which I offered a moment ago to the committee amendment, I accept the views expressed by the Senator from Montana [Mr. WALSH] and the chairman of the committee [Mr. COUZENS], and I ask that the words "now existing" be stricken from the amendment as reported.

The PRESIDING OFFICER. The Senator from Illinois proposes the following amendment, which the Clerk will read.

The Chief Clerk read as follows:

Provided, That nothing herein shall be construed to prevent railroad corporations from organizing or operating motor carriers where no consolidation, merger, or acquisition of control of motor carriers is involved in such organization or operation.

Mr. GLENN. I desire to reserve the right hereafter to renew my effort to obtain complete rights for the railroads to engage in the bus business. In other words, I do not want to be understood as agreeing to the action that has been taken.

Mr. BLEASE. Mr. President, what I am interested in this bill is the fact that in my opinion it simply means taking away the control of the highways from the States and placing it in the hands of the Interstate Commerce Commission. The bill provides that these people shall regulate who shall drive busses and trucks, the condition of the truck, the size of the truck, and so forth. If that power is placed in the hands of the Interstate Commerce Commission, certainly that is depriving the States of the right to control their highways as they see fit.

In South Carolina we post at each bridge a sign reading "Capacity, so much," which is notice to all people that if they have a load heavier than that they should not drive on that bridge. Then we have laws there for prosecuting people who violate these State highway laws.

I notice another provision in this bill, that if a bus goes through any part of another State—for instance, if a man leaves a town with his bus and has to drive through any part of another State, probably just a mile or two, in making his trip—that places him under the control of the Interstate Commerce Commission. That certainly is depriving his State of the right to regulate that matter.

As to rates, it does seem to me that we should legislate sometimes for the people. This bill is simply a regulation for the benefit of the railroads. Why should the railroads be forbidden to purchase a bus line and then be permitted to establish a bus line running right along by the side of one already in existence and force that man out of business?

If the railroad is going to establish a bus line from Asheville, N. C., to Columbia, S. C., and there are already two or three bus lines there—I think there are two now—why should the railroad be permitted to force out of business the bus line now in existence by establishing a new bus line instead of buying out the bus line if it can be bought at a reasonable price?

Those are the things about this bill that it seems to me are going to create a conflict between the State railroad commissions and the Interstate Commerce Commission in the handling of highways.

Within five years the railroads will own all of the bus lines and control both freight and passenger rates if this bill is passed and becomes the law of this country, and the Interstate Commerce Commission will have control of the highways over State authorities. The railroads will not reduce rates but will charge the same rates over both trains and busses.

Mr. COUZENS. Mr. President, will the Senator yield to me at that point?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Michigan?

Mr. BLEASE. With pleasure; yes, sir.

Mr. COUZENS. I think the illustration the Senator has made with respect to the line between Asheville and Columbia is not applicable, because in that case the railroad would have to have a certificate of public convenience and necessity from the Interstate Commerce Commission, and could not go in if there was adequate service. That is taken care of by the amendment which the Senator from Illinois [Mr. GLENN] offered and which was adopted at the last session of Congress.

Mr. BLEASE. I understand; but it seems to me that with that amendment it will be necessary to appeal first to the Interstate Commerce Commission. That is the very objection I am making to the bill.

In my State we have just voted \$65,000,000 of bonds. We are already working, and are going to let out large contracts

again this month. We are improving our highways. I realize that what the Senator from Arkansas has said is absolutely true. I have seen myself not only freight busses but passenger busses absolutely take the road, drive a man out, not pay any attention to him, stay in the middle of the road; and if he is behind them and wants to pass, very often they remain right there. It does not make any difference how much you may sound your horn, they stay in the center of the road. I still hold, however, that that is a matter that should be corrected by the State authorities, and that we should not pass this bill and put these lines of transportation, either passenger or freight, in the hands of the Interstate Commerce Commission. It is simply another attempt to create further Federal control and a further destruction of States' rights.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Kentucky?

Mr. BLEASE. With pleasure.

Mr. BARKLEY. I think the Senator probably has a slight misapprehension as to the scope of this legislation. It is not intended to take away from the State any police power in the matter of the regulation of the weight of trucks or busses going over bridges that might destroy the highways. I will say also that the State utility commissions have been for five years petitioning Congress to pass this sort of legislation, because under the Constitution they can not regulate interstate passenger business. Practically all the States have set up machinery for the regulation of bus traffic within the State. These interstate bus lines are now subject to no regulation. The State can not regulate them and Congress has passed no law for the Nation to regulate them. The result is that the regulated intrastate bus business is in competition with the unregulated interstate bus business; and it has been largely due to the initiative and the agitation on the part of State utilities commissions that Congress has seen fit finally to attempt to bring about some regulation of the interstate bus business. I do not think, however, that this will interfere with the State highway commissions' control of bridges, as far as the weight of busses that go over bridges is concerned.

Mr. BLEASE. But if this bill passes, the large amounts of money that the Government has sent to the various States to aid in road building are just as sure to lead back to Government control as other bills that have been passed here, that looked as innocent as this one does, but that have done the same thing with regard to other corporations and other highways.

Mr. DILL. Mr. President, I should like to offer an amendment and have it printed and lie on the table, to be considered at a later time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. DILL. I also want to say just a few words about the matter.

Mr. McNARY. Mr. President, the request is that the amendment be printed and go over for the day?

Mr. DILL. Yes.

Mr. McNARY. May I suggest that, assuming that we shall reach a time in the debate when there will be a vote, the Senator then would be without remedy.

Mr. DILL. I have no objection to the amendment being taken up when it is reached.

Mr. President, this is the amendment that is proposed by the minority report of the Committee on Interstate Commerce. In brief, it proposes to take from this bill the requirement for a certificate of public convenience and necessity.

Those who may have read the minority report will learn, I think, very readily that the members of the committee who signed that report are not opposed to a proper regulation of interstate busses. In fact we are strongly in favor of such regulation. Our objection is to providing for a certificate of necessity from the very moment we begin to regulate these busses.

A study of the bill reveals the fact that it proposes to grant, by its adoption, automatically certificates of necessity to all existing bus lines; and any new lines that anyone may attempt to form must secure their certificate of necessity.

Everybody knows that the Interstate Commerce Commission is extremely burdened with work now—so heavily burdened, in fact, that applications for certificates of necessity for railroads are delayed for months and sometimes for years. When we add to their duties the burden of determining whether or not everybody who wants to establish a bus line in the United States shall have a certificate of necessity, we have practically granted a monopoly to existing bus lines for the next two or three years.

I desire to call the attention of the Senate to the fact that if we strike from this bill the requirement for a certificate of necessity we still provide for all of the regulation that is really necessary. The testimony before the committee of the Senate and before the committee of the House showed that the real complaint against unregulated interstate bus business is based on the fact that there is a lack of responsibility on the part of those operating the busses. Objection is raised to the continuation of this condition on the ground that individuals and companies are running busses that are not financially responsible for the indemnification against injury of their passengers or citizens who may be injured by them. The objection is made that companies or individuals put on busses for a few weeks or a few months, take the cream of the traffic, and then drop out of existence, while the bus lines that run regularly are compelled to carry on the year around.

I think the committee is practically unanimous in believing that there should be regulation that would compel everybody operating in the interstate bus business to have such financial responsibility, either by carrying insurance or by having sufficient financial backing, that the citizens who ride in the busses or those who may be injured by the busses will have their right of damages in case of injury. I believe we are agreed also that every bus that runs in interstate business should be required to give bond, if necessary, to satisfy the commission that it will run on a regular schedule and that it will run the year around if other busses are able to run the year around. In other words, it is not the purpose of the minority members who signed this report to prevent regulation; but, on the other hand, we are opposed to granting by law a monopoly to the existing bus lines by providing for a certificate of necessity from the very moment we begin regulation.

Mr. KENDRICK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Wyoming?

Mr. DILL. I do.

Mr. KENDRICK. I desire to ask the Senator if he believes it is quite fair to place restrictions against the railroads that do not apply to other corporations or individuals?

Mr. DILL. The Senator is thinking of the fact that a railway must get a certificate of necessity?

Mr. KENDRICK. I am thinking of the restriction that would prevent railroads from buying out existing lines, whereas no such restriction is placed upon any other corporation or individual.

Mr. DILL. That, of course, covers another phase of the bill that I was not discussing. I will say to the Senator that I am not in favor of that provision.

Mr. KENDRICK. I am glad to hear the Senator say so.

Mr. DILL. I am not discussing that phase, however. I was trying to make clear the reason why the minority of the committee was opposed to this certificate of necessity being required before regulation has really been established.

I want to remind the Senate of this fact: We regulated the railroads in this country for nearly 40 years before we required certificates of necessity; and when Congress required certificates of necessity they gave to the commission the power to regulate and fix rates. This bill, however, does not give the power to fix rates. This bill gives to the commission the right to require a certificate of necessity, but gives it no right to fix rates.

Mr. KENDRICK. Does the Senator believe, if I may ask, that uniform laws in reference to fixing rates would correct the situation?

Mr. DILL. I will say to the Senator that I do not think we need at this time to give the commission the power to fix rates. I think it is sufficient to give to the commission the power to regulate these interstate busses to the extent of protecting the public and protecting the passengers, and requiring stable financial backing on the part of those who are operating bus lines. I do not believe we ought to try to enact as a system of regulation of a new business that is just developing the same system that we have built up after 40 or 50 years of Government regulation of the railroads.

Mr. KENDRICK. But the Senator does agree that any regulation should apply uniformly to all?

Mr. DILL. I think there should be regulations of these bus lines.

Mr. KENDRICK. One reason why we of the West should insist upon that condition is that in many places for hundreds of miles the highways are actually constructed within the railroad rights of way. Furthermore, the taxes paid by the railroads to the States represent almost or quite all of the States' contribution to the Federal highways.

Mr. DILL. That is true.

Mr. KENDRICK. It would seem, therefore, that the burden of cost of the highways over which these bus lines must operate is borne almost entirely by the railroads. Under such a situation the Congress should, as a matter of simple equity and justice, refuse to place restrictions in this bill that would deny to the railroads equal rights with other corporations to the use of the highways built largely with the railroads' money.

Mr. DILL. And I want to remind the Senate of another fact. These highways are not private property. They have been built from the taxes collected on the property of all the people, and for my part I am unwilling to grant by law, in effect, to certain bus lines now in existence, a monopoly of the use of those highways for bus purposes. I do not believe it can be defended from the standpoint of the public. That is why I am insisting that we should take out of this bill anything which grants anybody a monopoly of the bus business when it is still in the stage of development. That is why the minority members of the committee have written and signed this report, and I have offered this amendment.

I shall not enlarge upon the discussion. I wanted to say this much in order to call the attention of the Senate to the matter in order that Senators might know what was coming up.

Mr. WALSH of Massachusetts. Mr. President, will the Senator state how many minority members of the committee signed the report?

Mr. DILL. Six.

Mr. WALSH of Massachusetts. Will not the Senator indicate who signed the report, for the record?

Mr. DILL. The Senator from Oklahoma [Mr. PINE], the Senator from Iowa [Mr. BROOKHART], the Senator from Montana [Mr. WHEELER], the Senator from Nebraska [Mr. HOWELL], the Senator from Nevada [Mr. PITTMAN], and myself.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the junior Senator from Illinois [Mr. GLENN] to the committee amendment.

Mr. KING. Mr. President, I would be very glad to have the Senator from Illinois state the significance of this amendment, what it seeks to accomplish, and what particularly is in his mind with respect to curing, if I may use that expression, the bill which is before us. I would like to ask the Senator whether it applies in any way to railways or seeks to eliminate from the bill the provision which prohibits railways under certain circumstances from operating bus lines or acquiring bus lines.

Mr. GLENN. Mr. President, I have just come into the Chamber. I assume the Senator from Utah is referring to the amendment which I offered this morning to the committee amendment on page 20.

Mr. KING. The amendment now before the Senate is the amendment offered by the Senator from Illinois to the committee amendment.

Mr. GLENN. I had stepped out of the Chamber for the moment. The purpose of the amendment is this: It is my idea that the provisions of the bill as reported by the committee to the Senate were unsound in this, as I understand the bill, that they prohibited railroads from engaging in the motor-carrier business.

The Senator from Michigan [Mr. COUZENS] does not so understand the bill. It is his idea that the bill as reported to the Senate only prevents carloads from acquiring, buying up, we will say, bus lines which are operating in various vicinities, but that it would not prevent a railroad from inaugurating an entirely new bus line. That is his idea. I think there is some doubt about it. In the first place, it is my idea that there should be no discrimination against the railroads in the motor-bus business. I think it is in the public interest that the specialists, the experts, those experienced in the transportation business, should at least be allowed to compete with other people for that business. In other words, I think it is to the interest of the public generally that those who know the transportation business be allowed to engage in it and that the main interest of the public is in safe and adequate transportation of their persons rather than in some small possibility of a difference in rates. In other words, I think it is better for those handling the railroads of this country, as they are handled with great ability, to be allowed to complete their transportation business by likewise conducting a motor-carrier transport.

That is not the idea of the Senator from Michigan at all. His idea is, as I understand it—and I am sorry he is not in the Chamber—that the more motor-bus companies there are traveling between two fixed points the better it is for the people; that it is not enough to have a railroad and a railroad with a motor-bus line in connection with it, or two motor-bus lines operating, say, between Chicago and Detroit, but that if there are 5 or 6 or 7 or 8 or 9 or 10, there will be a tendency, on account of the very severe competition, to reduce rates and to keep rates down. That is his idea, with which I wholly disagree.

I think it is an outrage upon the public to have great numbers of unnecessary busses in competition with each other traversing the highways, almost monopolizing the highways, and driving the private driver with his automobile or his truck into the ditch, as was described rather graphically an hour or so ago by the distinguished leader on the other side, the senior Senator from Arkansas [Mr. ROBINSON].

We had a vote upon my amendment. The amendment which I proposed at the last session would have taken away all restrictions upon the railroads; that is, it would have left the railroads upon the same basis with any other citizen or corporation of the country. They could engage in the bus business, they could buy up other bus lines the same as any other corporation could. But that amendment was defeated here by a vote of 27 to 21, and seeking to do the best I can in this situation, I have sought now to amend the committee amendment so that the bill will read that railroads can at least inaugurate new bus lines in virgin territory. That is the purpose of my amendment. It does not satisfy me, but I think perhaps at this time it is the best I can do in the situation.

Mr. KING. Mr. President, will the Senator permit an inquiry?

Mr. GLENN. Certainly.

Mr. KING. If this amendment which the Senator offered when the bill was under consideration before, which was defeated, should finally be adopted, I could not see the necessity of adhering to this amendment.

Mr. GLENN. If the amendment which I offered at the last session, and which was voted down by 27 to 21, shall finally be adopted—and I expect to press it later—it would obviate the necessity of the pending amendment.

Mr. KING. I presume the Senator at some stage of the proceedings, before the bill is finally passed or rejected, will offer for the consideration of the Senate the amendment which was rejected at the last session.

Mr. GLENN. To be frank with the Senator from Utah, I hope that if the bill is sent to conference, some satisfactory solution will be reached of the immediate question before us. If that is not done, when the bill is reported back I expect to endeavor to bring this matter again to the attention of the Senate.

Mr. KING. Mr. President, may I say to the Senator—and I do not need to, because he is familiar with the rule—that he will have opportunity in the Senate, before the vote is finally taken, to have another vote on this question.

Mr. FESS. Mr. President, I want to remind the Senator from Utah that the consideration of measures by the Senate as in Committee of the Whole has been abolished, and, therefore, there will be no such opportunity in the Senate.

Mr. KING. Mr. President, I thank the Senator from Ohio. That had escaped my mind for the moment.

Mr. FESS. Mr. President, will the Senator from Illinois yield to me?

Mr. GLENN. I yield.

Mr. FESS. I understood the Senator from Michigan, who is temporarily absent getting his luncheon now, to say that he would agree, if anyone desired, to allow another vote to be taken on the amendment offered by the Senator from Illinois. That is the only way we can get it up unless somebody should move a reconsideration, and it is too late for that now.

Mr. KING. Mr. President, I hope the Senator from Illinois, before we conclude the consideration of the bill, will ask unanimous consent, if that is the only way by which we can revive the question which was before the Senate, to offer his original amendment.

Mr. GLENN. I understood the Senator from Michigan to say that he would offer no objection.

Mr. KING. I hope the Senator will ask for a reconsideration of the amendment.

Mr. BROOKHART. Mr. President, I am in entire disagreement with the Senator from Illinois on this question of whether the railroads should be permitted to go into the bus-transportation business. The amendment he has offered here would give them certain limited rights in that direction. I am opposed to that. I am much more opposed to extending the rights that he has suggested.

Mr. President, we have had plenty of experience with the railroads in other classes of transportation. In reference to the river transportation, they put rates into effect which killed off the river transportation, they were so low, and then, after they had successfully destroyed that competition, the rates were raised. That was worked systematically for the destruction of the inland-waterway transportation.

In 1923 I had direct experience with that proposition when I was on the special committee of the Senate to investigate the Lakes to the Gulf waterway. When we reached Memphis going down the Mississippi River, the Illinois Central Railroad attached a private car to our train. We went out to Muscle Shoals and back to Vicksburg. They had fine dinners and all those things, and entertained us royally. After we got down to New Orleans, the upshot of it all was that we should turn the Government barge line over to the Illinois Central Railroad. My suggestion was that we might just as well take it out in the Gulf and sink it. I think the railroads have the same purpose in wanting to go into the bus business. It is not to develop this great new system of transportation that has surely come into our country, but to throttle and destroy it. They have enough to tend to if they attend to their railway transportation. Bus transportation may reduce their passenger service somewhat on the short runs but not on the long ones. That will be increased by the general development of the country.

I am therefore opposed to giving the railroads any right to go into the bus business at all, except possibly for feeder

lines that will not be in competition with any bus line or paralleling their own rail lines. For this reason I oppose the amendment of the Senator from Illinois, and I more strongly oppose the other proposal for extending the general right to the railroads to go into this sort of transportation business.

The Senator from Illinois mentioned how efficiently the railroads of the United States have handled their business. I have made some study of that efficiency. I am ready to meet him—or, for that matter, anybody else—with some facts. The railroads of the United States have been the most efficient organization that has ever been presented in the world for taking money out of the pockets of the people of the country in high rates. They have not only done that, but they have been efficient in advertising to the country that their rates were low when in fact they were the highest in all the world. For the same service we are paying the highest freight rates now that are paid for railroad service in the world. There is not a single country in which a similar service is not given at cheaper rates.

Mr. GLENN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Illinois?

Mr. BROOKHART. I yield.

Mr. GLENN. We are paying the highest wages to labor to perform that service, too, are we not?

Mr. BROOKHART. Right across the Canadian line the Canadian railroads under Government operation are maintaining the wage scale of the United States.

Mr. GLENN. They are not paying any taxes to the Government, though, and it is natural that they should have lower rates where they pay no taxes to the Government.

Mr. BROOKHART. To what extent does that tax figure in the rates of the railroads?

Mr. GLENN. It amounts to more than \$1,000,000 a day in the United States.

Mr. BROOKHART. What does that amount to in the \$6,500,000,000 of revenue collected from the people of the country?

Mr. COPELAND. Mr. President—

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from New York?

Mr. BROOKHART. The lower Canadian rates on farm products amount to ten times the difference in the taxes.

I yield to the Senator from New York.

Mr. COPELAND. Does the Senator happen to know how much in the way of losses is charged up by the national railroads against the Canadian Government?

It must be recalled that the Canadian railroads and the American railroads are not at all on the same basis. In Canada the freight on wheat is maintained by a constitutional arrangement for giving low rates. As a matter of fact, in maintaining that cheap freight rate on grain there is a great loss charged up against the Canadian Government. This amounted, two or three years ago, to \$67,000,000. I do not have the figures of last year. That great sum is a charge against the taxpayers of Canada. In our country the entire burden is carried by the railroads.

Mr. BROOKHART. Yes; private ownership of those same roads entirely broke down. It was unable to continue the operation of the roads. The Canadian Government took over the roads and reduced and entirely ended the deficit. I think there is no deficit now in the operation of those roads. It reduced the rates, but has maintained the wage scale.

Mr. GLENN. Mr. President, will the Senator yield further?

Mr. BROOKHART. Certainly.

Mr. GLENN. Does the Senator contend that all the railroads in Canada are operated by the Government?

Mr. BROOKHART. All but one.

Mr. GLENN. That is a nation-wide competing railroad?

Mr. BROOKHART. Yes.

Mr. GLENN. It is operating at as low rates as the Government railroads.

Mr. BROOKHART. Yes; it has to compete. It would be out of business if it did not. It is complaining constantly about that condition, although it got nearly \$1,000,000,000 of subsidy from the Canadian Government.

The American railroads, with all their so-called efficiency, first came to the Government and got 158,000,000 acres of public lands. That is four and one-half times the size of the State of Illinois. They got one-seventh of the State of Iowa. I do not remember the proportion of the State of Illinois, but they got some of it, too. They were very efficient in taking that from the people of the country. Then they got other enormous grants in taxes and bond issues for the construction of their roads. I have no total figure for the railroads of the United States upon that, but it was an enormous amount.

Then when the transportation act of 1920 came along they were so efficient that they got a valuation of \$18,900,000,000 when their market value at the same moment was about \$11,750,000,000. The Congress of the United States bought those railroads for the people of the United States practically by the value they fixed, and the value or price they fixed on them was \$18,900,000,000 when the market value was about \$11,750,000,000. That is high efficiency, but it is efficiency for the robbery of the people of the United States, and at the same time it is efficiency for reducing the wages of railroad employees. It is efficiency only for the capital organization of the railroads.

That is not all they did in this efficient operation of the railroads either. In the transportation act of 1920 they got a guaranty for their war-time profits for the first six months after they were turned back from Government operation, and that was to come out of the Treasury of the United States. That is the same six months in which another agency of the Government of the United States deflated the other business of the country which the Manufacturers Record stated amounted to \$32,000,000,000 on the farmers and \$18,000,000,000 on the other business of the country. They got this guaranty for the war-time profits over and above their operating expenses. During the period of Government operation we had a director general appointed by the Government, but under the director general we had the same old private managers of the railroads. They proved tremendously efficient in padding their expense accounts during Government operation for the purpose of discrediting Government operation. That is why it was done. It amounted in the last year of their operation by the Government to \$200,000,000 or \$300,000,000 of padded expenses. I could give details. I have a whole volume of them.

Then over and above all that they got this guaranty for their war-time profits—not losses. We paid all the losses and a good deal more, too, during Government operation, but for their war-time profits for six months after they were turned back into private ownership they received this guaranty, and that six months' period ended about two years after the war was over. As soon as they got that guaranty, then they got efficient again and increased their operating expenses in 1920 by \$1,485,000,000. About \$400,000,000 or \$500,000,000—they claimed \$600,000,000—of that was due to increase of wages. That item I want to allow as just and proper, but the other \$900,000,000 or \$1,000,000,000 was what?

That was efficiency in taking money out of the Treasury of the United States in this case as well as out of the pockets of the people in rates. That enormous increase in operating expenses in 1920 created a deficit in the guaranty covering the six months, and then we wrote checks on the Treasury of the United States for \$529,000,000 to pay that deficit under our guaranty.

Mr. President, I have given a brief picture of the efficiency of the railroad systems in the United States that are now fighting the development of the inland waterways system because they want a monopoly of all transportation and which are seeking, through this bill, to get authority to fight the development of the public-road transportation

of the United States. I do not want to develop any more of that kind of transportation efficiency. I say that it is costing the people of the country more than \$1,000,000,000 a year right now in excess rates. It has held down the wages of railroad employees and increased the charges to the general public in that way. For these reasons I am going to oppose any amendment and vote against the bill if it leaves any privilege in it whereby the railroads might control all or any portion of highway transportation.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Illinois [Mr. GLENN] to the amendment of the committee.

Mr. TYDINGS. Mr. President, may we have the amendment to the amendment read again?

The VICE PRESIDENT. Let it be reported for the information of the Senate.

The LEGISLATIVE CLERK. On page 20, line 25, after the word "railroad" and before the period, insert:

Provided, That nothing herein shall be construed to prevent railroad corporations from organizing or operating motor carriers where no consolidation, merger, or acquisition of control of motor carriers is involved in such organization or operation.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE PRESIDENT. The bill is open to further amendment.

Mr. COUZENS. I move to amend, on page 13, line 3, by striking out "April 1, 1930," and inserting in lieu thereof "December 1, 1930."

The VICE PRESIDENT. Let the amendment be reported.

The LEGISLATIVE CLERK. On page 13, line 3, strike out "April 1, 1930" and insert in lieu thereof "December 1, 1930."

Mr. COPELAND. Mr. President, I hope this amendment will prevail. When the first date was fixed it was thought the bill would be passed last spring. Of course, it is only fair that the change should be made.

The amendment was agreed to.

Mr. KING. Mr. President, may I ask the chairman of the committee a question? I ask for information, because some of us who are not members of the committee have had no opportunity to read the bill and may not be acquainted with its provisions and its implications. Is there anything in the bill which prohibits a State from imposing a fair and just tax upon motor transportation organizations or systems that may operate within and through other States?

Mr. COUZENS. I do not find any such provision, any more than there is a prohibition against taxing the railroads in the States.

Mr. KING. Then the Senator is of the opinion that if busses operate in interstate commerce through the State of Michigan, say, from New York to Chicago or farther west, the State of Michigan could impose a reasonable tax, perhaps a franchise tax or intangible tax, as well as a tax upon physical property of the operating company?

Mr. COUZENS. The State of Michigan now taxes the railroads engaged in interstate commerce, and I see no difference in their right to tax bus lines engaged in interstate commerce. There is no such prohibition.

Mr. KING. I can see no rational ground for differentiating between one kind of transportation system and another.

Mr. SMITH. Mr. President, unfortunately during the major part of the discussion of the proposed legislation I could not be present as a member of the committee. I do not feel that I would discharge my duty to myself and my colleagues and to the public if before the vote is taken on the bill I did not submit some observations which are the result of my study of this question.

I do not think we have taken into consideration the radical difference there is in the methods of transportation between the internal-combustion engine and the steam engine. It is sufficient, perhaps, for me just to refer to the two for Senators' minds immediately to appreciate that the railroads as we know them have to have a specially constructed track at enormous cost and monopolized entirely by

the vehicles which use that track. The cost of the inauguration of such an enterprise is prohibitive as to the ordinary individual. It invites and requires a combination of capital. The roadbed itself must be particularly graded and kept up by skilled laborers in that particular field of railroad construction. It is impossible to operate a railroad without the issuance of a tremendous amount of obligations in the shape of stock and bonds. A railroad is limited as to where it may go by the stupendous cost which is involved in its construction. It is in its particular field an absolute monopoly. The construction and operation of railroads was early recognized as being a monopoly by those who invested capital in them, and the monopolistic power that was inherent in them was used to its fullest extent in the development of the railroads of our country. It is stated in the article written by the ex-President of the United States in the morning press that the railroads have recognized their tremendous power.

After all these years of the utilization of steam transportation for long distances and heavy traffic and for ordinary rapid transit, the genius of mankind has discovered another method of transportation, equal in its speed to the railroads; not equal, however, in its individual tonnage-carrying capacity, but capable of carrying quite a large volume of freight. Now, it seems to me that the thing which concerns the Senate, the thing which concerns the Congress, is what are the benefits from the autobus and the autotruck to the public; not what is their relation to the railroads, but what is their relation to the public.

Of course, none of us want to see the railroads destroyed or made inefficient; but at the same time we do not want to deprive the public of a splendid means of transportation for passengers and freight which in its initial cost is so small compared to the investment required to operate a railroad that almost any individual may acquire and operate a passenger bus or a freight truck. I hailed with delight the fact that we were capable of building a system of highways, each State contributing its part and the Federal Government its part, over which the new discovery might operate effectively. We now have such a system of highways; and, in place of a great corporation having to be organized and enormous capital to be invested in order to accommodate the public with rapid transportation both for passengers and freight, we have solved the problem, particularly in its relation to short distances and comparatively small tonnages, by the use of the internal-combustion engine. Any man of reasonable means may invest in one and serve his community or several communities; he can carry passengers; he can carry freight; and he can use the highway that is common property. It is not necessary that he shall exercise any right of eminent domain or invoke the law of condemnation; no; he uses the public highway. This democratic machine is at the service of all the people.

What would happen if a man were to invest in an autotruck and charge such a rate for service that the enterprise did not pay? There would be no shock to the community; no bondholders or stockholders would be hurt; he would simply lose his investment in his machine; that is all.

The same thing is true also as to the autobus. Yet, say what we will, we are proposing legislation here now which will invite a monopoly in this wonderfully democratic enterprise which will parallel in its ultimate effect the present railroad monopoly. The minute it shall be provided under the pending measure, should it become a law, that it shall be necessary to take out a certificate of convenience and necessity in order to operate a bus line, every one of us by experience knows from the operation of the clause in the present railroad law what will be the result. Certain individuals will secure the right to establish truck lines, while others will be denied that right. It would almost be analogous to our providing by law who shall own automobiles to traverse the highways, the common highways. Hitch hikers are numerous; on nearly every mile of road there is some one asking for transportation. It would be almost as reasonable to enact a law that no man shall stop his machine and, as a friendly act, pick up a passenger

and transport him as to say that one must obtain a certificate of convenience and necessity before he may engage in this wonderfully democratic means of universal and common transportation.

Mr. KING. Mr. President—

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from Utah?

Mr. SMITH. Yes; I yield.

Mr. KING. The Senator from South Carolina is aware that in many States—I do not know the number—commissions have been set up for the purpose of granting permits to individuals or corporations to operate intrastate trucks and motor busses?

Mr. SMITH. Yes.

Mr. KING. Does not the argument of the Senator attack that undemocratic policy, to use the Senator's expression, by requiring this democratic means of transportation to submit to a certificate of reasonable necessity?

Mr. SMITH. Oh, no. I have not been advised as to the number of States which require a certificate of convenience and necessity. They require licenses, they require a certain tax, just as in the case of my automobile. They require a little larger tax on the autotruck, because it is a little harder on the road, and more benefits accrue from its use; but they do not require a certificate of convenience and necessity. The Senator knows that the moment such power is granted others are shut out who might wish to compete. A certificate of convenience and necessity! Who is going to define the interest of the public and the right of the individual in so cheap and common and democratic thing as transportation by auto bus or automobile? It would be just as appropriate under the old order of things to tax the man who ran a stage coach with his horses.

Mr. President, there is not a Senator on this floor who has worked any harder than have I—of course, others have worked with better results—in the effort to preserve the competency and efficiency of our railroads. I have been a Member of the Senate for 22 years, and I do not think there is a single utterance of mine either on the floor of the Senate or in committee that can be construed as being antagonistic to the railroads. They built this country; they made possible the coming together in intimate commercial and social relations of the East and the West; but because they rendered such a service when there was no other form of transportation is that any reason in the world why we should now deny the people of this country the fullest freedom in using the autotruck and the autobus, and deny them not in the interest of the public but in the interest of the preservation of the railroads? I can not understand such a suggestion.

There has not been very much discussion of the pending bill, but I have sat here and listened and I have heard very little reference made to how efficiently the public may be served by as nearly as possible unlimited freedom of use of our splendid highway system by the autobus and the autotruck. Whom does such use injure? Does it injure the public? To repeat myself, it costs very little to invest in an autotruck or an autobus, and the only sufferer in case the venture does not succeed will be the man who does not know what to charge or how to run his business.

Mr. HOWELL. Mr. President—

The PRESIDING OFFICER (Mr. VANDENBERG in the chair). Does the Senator from South Carolina yield to the Senator from Nebraska?

Mr. SMITH. I yield.

Mr. HOWELL. Is not the whole purpose of this bill to limit competition?

Mr. SMITH. I can not see anything else in it. Who is going to be hurt? What part of the public is going to suffer by virtue of the roads being filled with autotrucks and autobusses? Who is going to be hurt so far as the general public is concerned? Wherein are they going to suffer?

The autotruck has tremendous advantages over the railroads as the railroads have great advantages over the autotrucks. Let us define the province of each, and by wise legislation restrict each one to its particular field.

All of us are familiar with the great fight that was made in reference to section 4 of the interstate commerce act. The railroads complained that they could not compete with water competition; that they could not meet water competition on the rivers and harbors. Here was a natural means of transportation both for passengers and freight, but limited geographically to a fixed, definite, and eternal place. They came here and asked to have their rates lowered so as to meet the competition of water. It was granted. Of course, they had to recoup themselves in those territories where the citizens did not have any water transportation. Now they are met with another competitor that can go wherever they can go, and at much less cost. Now we are asked, not to lower the rates all through the country, but to put such rates, fares, and charges on this great, democratic, universally possible means of transportation as will enable the railroads to maintain their present rates.

We were asked to destroy water competition. We did. Now we are asked to destroy our bus and truck competition. It is useless for us to try to gainsay that position. Had we not better wait a while until we find just the lines along which this new method of freight and passenger transportation will ultimately define itself? Can we not trust the States to find a modus vivendi amongst themselves, to have reciprocity as to the use of the roads that the States build by those from other States, and to adjust themselves so that we will not have a foreign element stating what shall be the conditions under which I shall travel, in South Carolina, on South Carolina roads?

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Utah?

Mr. SMITH. I yield.

Mr. KING. If I understand the Senator's able argument, would not the situation be somewhat clarified if Congress should simply pass a joint resolution or a bill saying that, so far as concerns the power of the Federal Government to control motor transportation in interstate commerce, the States shall have full authority and power to enact such reasonable regulations as they see fit for the protection of the public and those who may be passengers upon interstate busses or those who may be engaged in interstate transportation?

Mr. SMITH. I think, at this stage of development, the Senator has put it finely. In other words, we have the constitutional right to regulate them. Is it wise to do it?

Mr. KING. Why not remit it to the States?

Mr. SMITH. That is right. This method of transportation is just in its incipency. The Federal Government is cooperating with the States in building highways. It does not go into my State and supervise the building of the roads. It lays down certain conditions and leaves their carrying out entirely to the State.

In my opinion, it would have been much wiser for us to have passed a joint resolution along the line the Senator has indicated, if any legislation at all is necessary. We now have a means of the closest relation that the world ever saw. We have annihilated time and space on the public highway. Transportation used to be limited to the railroads at tremendous cost. Now it is easy for anyone to go long distances. It is 500 miles from here to my home. A Congressman and I ate lunch at my home, left at 1 o'clock, and arrived in Washington that night at 1 o'clock in our own vehicle, taking our own time, without anybody punching a ticket, without anybody interfering as to whether or not we had a certificate of convenience and necessity, without anybody saying, "You have crossed the North Carolina line. Have you subscribed to the Federal law in regard to traveling interstate?" We were in a common country, with common freedom, and traveled to Washington without let or hindrance.

I will guarantee the assertion that we passed two score trucks and auto busses between Florence, S. C., and Washington, D. C. They did not inconvenience us. We traveled a common highway, for the common good. I passed men walking. I passed men driving buggies. I passed men in

wagons. I passed men on bicycles. It was a common highway, for the common people, from the auto truck and the auto bus down to the little flivver that we were in. We are just in the dawn of this wonderful solution of the problem of mass transportation, available for everybody, bringing the groceries to my door without my going to the depot, carrying the children from out of the "sticks" into the common school place, where they touch elbows with every variety and scale of society, the gift of God to mankind to leaven up and level up the great mass of our people.

The spiritual value of good roads and good transportation can not be measured by Congress or any living man or set of men. Yet, gentlemen of the Senate, we are taking the gifts of God and the discoveries of genius and making them a curse to mankind. We are taking these wonderful forces that have been concentrated and made available and creating them into a Juggernaut car that is driving ruthlessly over the hopes and over the homes of millions. We have taken a machine age which goes under the name of the incorporation of labor-saving devices and destroyed labor with them. We have taken the wonderful facilities of mass production and made them a mass destroyer. We have taken the inventions of genius and bankrupted America with them. We have taken the gifts of God and turned them into a curse.

The man who owns a machine that can do the work of a hundred men owns the equivalent of a hundred men. The slave owners of the South never had one-tenth the power that the machine owners of America have. We fought the war to destroy competition between slave labor and free labor. What prophet will deny that we may yet have to fight a war for the right of free people to enjoy machine labor?

No sooner had this gift of God to mankind been made manifest in its power to serve the public than we rush here with legislation to divert it into a small channel, to pay the greatest dividends to a little handful. What harm is it doing anybody? Who has spoken here for the interests of the public, who are just beginning to appreciate the wonderful benefits of this new method of transportation?

The railroads are a necessity, and they will be here in spite of all this competition. We should be infinitely wiser to leave the railroads ultimately to discover what is their function under the new order of things, and then, as wise men, protect them in that function and give them adequate support to perform that function, find what is the function of the autotruck and the autobus, and throw the protection of common sense and statesmanship around them and give them their territory. But in the midst of this confusion, without the province of either one being clearly defined, we propose to come in here and throttle the development of this wonderful discovery in the interest of the masses? No; but because it is temporarily jeopardizing the revenue of the railroads. That is what we are doing. That is what this legislation is for.

It is ill-advised, Mr. President. We ought not now to attempt to interfere by Federal legislation. The States are solving this problem wonderfully. They are building these roads at tremendous cost. My State has just gotten through bonding itself in the sum of \$65,000,000 to perfect a system of hard-surfaced roads in the State of South Carolina, to do what? To enjoy to the fullest extent the benefit of this wonderful discovery; and here we are about to pass legislation that will do what? Will it give my State, which spends the money and builds the roads, the right to determine what will be a just return for the use of these splendid facilities? No; but it turns over the matter to a commission to determine convenience and necessity!

Mr. President, it is very well for us all to know who inspires legislation. Very often we get a slant on it in that way that may be very helpful in our deliberations. Where did this thing come from? I say here and now, if a railroad wants to put an autotruck or an autobus out in competition with anybody else's vehicle, under the same conditions, let it go and do it. Do not compel the railroads to come here and ask for the privilege of putting

out an autobus or an autotruck. Just let them do it. If they want to carry me for nothing, let them do it. That is about where they have most of the farmers. We have to give them what we make and pay them a little boot to take it. I should like to have that turned around just a bit.

We are trying to confuse two radically different things. The relationship of modern internal-combustion engine operation to the public and the railroad's relation to it are just as different as the horse and buggy and the passenger train. I for one, Senators, as a member of the committee, can not get the consent of my mind to go back and state to my people that I, by my vote, injected Federal interference into a problem that the State can solve to the benefit of every man, woman, and child in the State. No; I can not do that. The best thing for us to do is just to wait until the function of the railroad is fully defined in the light of the operation of these so-called competitors and then see what these competitors may do.

Gentlemen of the Senate, the first consideration and the only consideration that this and the other body should have is, What is the greatest good to the public?

Mr. BLACK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Alabama?

Mr. SMITH. I do.

Mr. BLACK. As I understand, the original Interstate Commerce Commission law was passed to protect the public from the monopoly of railroads.

Mr. SMITH. That is true.

Mr. BLACK. The Senator is on the committee, and I will ask him whether it is claimed that the object of this bill is to protect the people from monopolies of railroads or busses?

Mr. SMITH. No; it is to protect the monopolies against restriction.

Mr. BLACK. It was not claimed, as far as the Senator knows, in the hearings before the committee, that the passage of this bus bill would protect the people from monopoly?

Mr. SMITH. No. There is no use in our referring to it, but the history of early railroading was not a very happy chapter in our national history, and since the appointment of the Interstate Commerce Commission it has not been altogether very happy.

The Senator has put his finger on the very crux of the matter and made the point better than I could have made it. We appointed the Interstate Commerce Commission to protect us against monopoly. Now, the offices of the Interstate Commerce Commission are being invoked to protect monopoly.

Mr. President, I had hoped that I would not be called upon to have anything to say. Most anyone can invest in one of these individual vehicles, and if he fails nobody is hurt but himself. If a railroad fails, consider the host of bondholders and stockholders who lose. If I remember correctly, one of the great panics of this country was caused by certain conditions in the railroad industry. If an autotruck fails, hardly anybody knows about it.

Not so long ago I was going along the road and saw one of the finest autotrucks down in a ditch. I did not go many miles before I saw another. If a railroad is wrecked, the whole country is adversely affected. There is no comparison between the two. We have no right to hook them up together. Let one of them perform the functions the other never would perform. Tremendous concentrated tonnage in hundreds of big cars pulled by super engines—no autotruck can ever take the place of that.

When it comes to the convenience of long-distance travel nothing in sight yet will take the place of the through train and the Pullman and the dining car. Let each one in its own sphere serve the public, but in the name of the God who has made us all and united us in one country, let us have the good of the people at heart, and not the protection of a corporation, and all the arguments I have heard here have been as to the effect this would have on the railroads. What effect will it have on the people? What effect

would this restriction have on the masses of the American people who to-day are the beneficiaries of this revolution of transportation? Thank God there is no such thing now as "backwoods." As a result of good roads, automobiles, radios, and airplanes, there is no longer any such thing as "backwoods." The man who lives out in the sticks now is as cosmopolitan as the man who walks the city streets, and why should we now attempt to restrict the blessings God has vouchsafed him?

Mr. President, as a member of the committee I shall content myself, for the present at least, with voting against any restrictive legislation other than that which the States, in their relation to each other, may see fit to make.

The PRESIDING OFFICER. The bill is open to amendment. If there be no further amendment to be proposed, the question is, Shall the bill be engrossed and read the third time?

Mr. HARRISON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	King	Shortridge
Barkley	Frazier	La Follette	Simmons
Bingham	George	McGill	Smith
Black	Gillett	McKellar	Smoot
Blaine	Glenn	McMaster	Stetson
Blease	Goff	McNary	Stephens
Borah	Goldsborough	Morrow	Swanson
Brock	Gould	Moses	Thomas, Idaho
Brookhart	Greene	Norbeck	Thomas, Okla.
Broussard	Hale	Norris	Townsend
Bulkeley	Harris	Nye	Trammell
Capper	Harrison	Oddie	Tydings
Caraway	Hastings	Overman	Vandenberg
Carey	Hatfield	Patterson	Wagner
Connally	Hayden	Phipps	Walcott
Copeland	Hebert	Pine	Walsh, Mass.
Couzens	Heflin	Pittman	Walsh, Mont.
Cutting	Howell	Reed	Waterman
Dale	Johnson	Robinson, Ark.	Watson
Davis	Jones	Robinson, Ind.	Wheeler
Deneen	Kean	Schall	Williamson
Dill	Kendrick	Sheppard	
Fess	Keyes	Shipstead	

The PRESIDING OFFICER. Ninety Senators having answered to their names, a quorum is present.

Mr. BLAINE. Mr. President, I desire to offer an amendment.

The PRESIDING OFFICER. The Senator from Wisconsin offers an amendment, which will be read.

The CHIEF CLERK. The Senator from Wisconsin offers the following amendment: On page 26, strike out all of line 23, after the semicolon, and all of lines 24 and 25, and in lieu thereof insert:

And notwithstanding the provisions of this act and any provision of the Federal highway act, the laws enacted by any State and the regulations thereunder that relate to the maintenance, protection, safety, or use of the highways therein, and which laws and regulations thereunder are made equally applicable to intrastate and interstate commerce or use of such highways, shall not be deemed to be a burden upon or an obstruction or impediment to interstate commerce, and the power to enact such laws and promulgate regulations thereunder is hereby expressly reserved to the respective States under their police powers.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin. [Putting the question.] The yeas seem to have it.

Mr. BLAINE. Mr. President, I presume the amendment is subject to debate, and I want to call the attention of the Senate to the fact that this amendment is intended to preserve the rights of the respective States in the regulation and use of the highways. The highways of this country are built out of funds obtained from taxation in the respective States.

Yesterday the junior Senator from Iowa [Mr. BROOKHART] introduced two or three schedules which are very enlightening with respect to the contributions which are made by the Federal Government to the States for highway aid and construction.

Mr. TYDINGS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Maryland?

Mr. BLAINE. I yield.

Mr. TYDINGS. I voted for the Senator's amendment a moment ago, and I just rise to inquire whether or not the vote taken was a decisive vote, or whether or not the Senator rose in time to have another vote taken later.

The PRESIDING OFFICER. The Chair's understanding is that the Senator rose in time. A conclusive vote has not been announced.

Mr. BLAINE. Mr. President, if Senators will observe the tables submitted by the Senator from Iowa, they will find that the Federal Government contributes a mere bagatelle toward the construction of our highways. My own State is illustrative of what is true of every State in the Union.

Mr. COUZENS. Mr. President, will the Senator yield at that point?

Mr. BLAINE. I yield.

Mr. COUZENS. I will ask the Senator if he will point out the difference, concretely, between his amendment and the provision in the bill with respect to State rights?

Mr. BLAINE. I will come to that in just a moment. The taxes to which I referred, represented by disbursements, amounted to \$21,000,000 for State highways, as disclosed by the schedule on page 49 of the CONGRESSIONAL RECORD. On page 50 of the RECORD it is shown that the grand total of disbursements by local road authorities was \$30,000,000. Toward these expenditures the Federal Government contributed a trifle more than \$2,400,000, and yet it is proposed by the bill now before us to turn over to the motor-bus transportation companies, which will mean within a very short time after the passage of the bill turning over to the railroad companies of the country, the use of our highways, built out of money raised in taxation so far as our local roads are concerned, and to a large extent through taxation so far as our State trunk highway systems are concerned. It is proposed by this legislation that the railroad corporations eventually and within a short time shall have the free use of these highways.

Mr. President, there is no saving clause in the bill that will adequately reserve to the States the police powers of the States. There is nothing in the bill that will adequately protect the States in their right as sovereign States to regulate the proper use of the highways. There is nothing in the bill that reserves to States the right to enact laws that may determine the length of the busses, the weight of the busses, and many other considerations which enter into the legislation. Results will follow that will mean the destruction of our highways, built at the expense of the taxpayers of the country, because we know that bus transportation upon the highways to-day causes primarily the destruction of our roads and that it costs millions upon millions of dollars in any State of appreciable size to maintain and repair those highways. All of that must be done by the taxpayers of our respective States, and here we are attempting to shear the States of the power to determine the type of vehicle that may operate upon their highways, the character of that operation, and many other elements which we may not now be able to anticipate because of the tremendous impetus that is given to the improvement of motor transportation. We do not know what the limit will be. There is no provision in the bill which reserves to the States the proper power to regulate and control these transportation companies.

I want to read that portion of the bill which purports to reserve to the States the proper power.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER (Mr. BINGHAM in the chair). Does the Senator from Wisconsin yield to the Senator from Idaho?

Mr. BLAINE. I yield.

Mr. BORAH. I desire to ask the Senator how the Congress could take away from the States the full control of anything in the nature of intrastate commerce or use of vehicles engaged in intrastate commerce?

Mr. BLAINE. But this bill affects interstate commerce, and it is with respect to that interstate commerce and the regulation thereof of which the States are shorn of their power.

Mr. BORAH. I do not understand how the States could be shorn of it by an act of Congress.

Mr. BLAINE. Interstate commerce?

Mr. BORAH. Interstate commerce; but if it is interstate commerce the States could not exercise that power anyway.

Mr. BLAINE. I beg to differ with the Senator. The States in the absence of Federal restrictions may regulate so far as interstate commerce is concerned with respect to the use of our highways. There is no one who has the right to use the highways, either intrastate or interstate, without permission of the sovereign power that built those highways. That is the rule and that is the law. The State may even deprive its own citizens, as it does to a certain extent, of the right to use the highways. The State may deprive interstate commerce under circumstances identical with the deprivation of intrastate commerce with respect to the use of those highways.

Mr. BORAH. And Congress can not take that power away from the States.

Mr. BLAINE. When Congress once enters upon the field in the regulation of interstate commerce without any reservation to the State, the National Government enters that field exclusive of State jurisdiction. That has been demonstrated time and time again under the transportation act regulating the railroads. The Interstate Commerce Commission, under the terms of this bill, having once granted a certificate of convenience and necessity, thereby excludes the State from any power to regulate that transportation if it is found that such regulation would be an obstruction to or impede interstate commerce.

Mr. BORAH. I agree with that proposition. The Supreme Court has held that if the regulation of intrastate commerce by the States interferes with interstate commerce the States can not regulate it; that is to say, if the intrastate regulation interferes with the proper regulation of interstate commerce the State can not exercise that power. That I understand to be true.

Mr. BLAINE. That is exactly the situation I am attempting to avoid by this amendment. My amendment proposes to reserve to the States the power to regulate under the general police power of the State reserved to the State, Congress saying to the Federal Government, "We will enter this jurisdiction only so far, and beyond that the Federal Government does not go. It does not propose to enter this field exclusive to the power of the State over its own highways."

Mr. SMITH. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HATFIELD in the chair). Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. BLAINE. I yield.

Mr. SMITH. Was it not left to the States to determine the intrastate rates under the interstate commerce act up until the time of the passage of the Esch-Cummins Act, which then granted the Interstate Commerce Commission power to determine what rate should be imposed, even though it was intrastate, if in the judgment of the commission it subtracted from or interfered with the revenues in interstate traffic?

Mr. BLAINE. That was the general consensus of opinion in the country.

Mr. SMITH. I know with what a shock it came to some members of the committee that for the first time we had arrogated or turned over to the Interstate Commerce Commission the right to determine an intrastate rate if in the judgment of the commission that wholly intrastate rate affected the revenues of the interstate agency or carrier. By the same token, if the law applies to the autobus or the autotruck and a certificate of convenience and necessity is granted, we put them under the jurisdiction of the Interstate Commerce Commission. Then if an intrastate vehicle may contribute some freight to an interstate truck under the same law, why would not the Interstate Commerce Commission have the right to go into my State and regulate rates on traffic that shall be carried wholly intrastate on the ground that those intrastate vehicles contribute to the freight that passes in interstate traffic?

Mr. BORAH. That is not the rule that has been laid down by the Supreme Court.

Mr. BLAINE. I have not any doubt that that probably would be the rule that would be effective. The Minnesota case, the Shreveport case, and the railroad transportation act of 1920 all go to the proposition that, the Federal Government having entered the field, it entered that field to the exclusion of all other jurisdiction, there having been no reservation made whatever for the protection of the States in their sovereign power to enact legislation under what we generally understand to be the police power of the States.

Mr. SHIPSTEAD. Mr. President, will the Senator permit me to make a brief suggestion?

Mr. BLAINE. Certainly.

Mr. SHIPSTEAD. I am informed by members of the Minnesota Railroad and Warehouse Commission, and also by their counsel, that the result of the transportation act, so far as all practical purposes are concerned, has been to shear them entirely of all power to regulate effectively even intrastate rates because they are always met with the argument that it affects interstate business and therefore can not be maintained.

Mr. BORAH. I am not arguing against the amendment, because the principle or theory of it seems to be all right. All I am undertaking to say is that I am not myself going to concede that Congress can take from the States the regulation of intrastate highways or the regulation of intrastate transportation. Congress can not take it away from the States. That power is granted in another instrument, and that is the Constitution itself.

Mr. BLAINE. My proposal is to nail the thing down so there shall be no question on that point.

Mr. TYDINGS. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Maryland?

Mr. BLAINE. I yield.

Mr. TYDINGS. I suppose the Senator has intended to mention the difference between a railroad and a highway. The railroad is owned exclusively by the railroad company and used exclusively by the railroad company.

Mr. BLAINE. The right of way having been purchased by the railroad company, the roadbed and all the equipment, the rails and the ties, are the property entirely of the railroad company, while on the other hand the highway, the easement, and the title thereto are in the county or State.

Mr. TYDINGS. And open to everybody.

Mr. BLAINE. And built by the counties and States and local communities, and owned by every taxpayer and every citizen in the State under State sovereignty.

Mr. TYDINGS. As I understand the Senator's amendment, a great many States regulate the weight of the cargo which can be carried in a truck. In other words, the roads are built to carry a 12-ton load. The State of Maryland, for instance, provides that if the load exceeds 12 tons the driver or owner of the truck shall be subject to a fine. As I understand the Senator's amendment, it is for the purpose of giving additional support to the local regulations governing the speed and conduct of cargoes over the highway. Is that correct?

Mr. BLAINE. That is the purpose. The language I desire to strike out is on page 26, after the semicolon:

And motor carriers operating in interstate commerce shall be subject to the proper exercise by the State of its powers.

That language is very narrow. It expressly provides for the "proper exercise." What is meant by the "proper exercise"? The interpretation must be made in the light of the decisions and the rules that apply with respect to railroad companies under the transportation act. The phrase "proper exercise" will exclude from the State full power to pass legislation that will be protective of the State's highways, owned and built by the State, and its respective communities.

I propose to strike out that indefinite, narrow language and to substitute therefor language that is broad enough to protect the State in its sovereign capacity, to protect its highways from destruction, to protect the safety of the

travelers upon the highways, without any question or peradventure of doubt, leaving nothing to be interpreted, leaving nothing to be construed by the courts, but preserving to the States the power, as the language of the amendment provides, to enact laws and promulgate regulations thereunder that relate to the maintenance, protection, safety, or use of the highways therein; providing, however, that such laws and regulations thereunder are made equally applicable to intrastate and interstate commerce or use of such highways. In other words, subjecting interstate commerce to identically the same rules that apply to intrastate commerce—that is, within the State and subject to the laws of the State in relation thereto. I think this is very important.

The amendment further and expressly provides that the power to enact such laws and promulgate regulations thereunder is expressly reserved to the respective States under their police powers.

Mr. BARKLEY. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Kentucky?

Mr. BLAINE. I yield.

Mr. BARKLEY. I am in sympathy with the Senator's amendment, but I wonder in what respect it differs from the language the Senator seeks to strike out, which seems to be aiming at the same thing but in more general terms? Is there really, in effect, any difference between them?

Mr. BLAINE. I think there is a very essential difference. As I pointed out, the language provided in the bill refers to "proper exercise." Now the term "proper exercise" is very broad. By interpretation of the courts in sustaining rules and regulations and orders of the Interstate Commerce Commission in the future, in all probability such language would preclude any legislation on behalf of the States for the protection of their highways and safety thereon. "Proper exercise" refers to the use of the police power, subject, however, to the rule that when the Federal Government enters a field without any reservation to the State the Federal Government enters that field exclusive of any other jurisdiction. It is that exclusive jurisdiction on the part of the Federal Government to which I object. That is the essential distinction between the language of the bill and the language of the proposed amendment.

Mr. BARKLEY. The Senator is undoubtedly correct with reference to—

Mr. BLAINE. I have explained the amendment, and I see no necessity for prolonging the discussion.

The VICE PRESIDENT. Does the Senator from Wisconsin yield further to the Senator from Kentucky?

Mr. BARKLEY. I was not quite through with my observation in response to the Senator's statement.

Mr. BLAINE. I yield the floor to the Senator, in order that he may conclude his observation.

Mr. BARKLEY. I do not need the whole floor. I merely want a little part of it.

What the Senator from Wisconsin has said is undoubtedly true with respect to the regulation of private concerns, private business, and private facilities such as railroads, but I am not so certain that the principle which he lays down goes far enough to include the regulation by the Federal Government of the conduct of the highways wholly within the control of a State which are already public property and have been dedicated to the public service.

I do not understand that the passage of this bill would, by implication, give the Federal Government or the Interstate Commerce Commission the right to regulate the construction of highways or in any way to invade the police powers of the States or the cities or the counties through which such bus lines might operate in the matter of the construction and regulation of the use of the highway itself.

I have no objection to the amendment of the Senator, but I did not want the contention to go unchallenged that the mere passage of an act regulating bus traffic over a highway which has been already dedicated under the laws of the State to public use would, by implication, give the Federal Government the right to regulate traffic on that highway.

EXECUTIVE MESSAGE

A message from the President of the United States by Mr. Latta, one of his secretaries, communicated to the Senate nominations of members of the Federal Power Commission.

EXECUTIVE SESSION

Mr. McNARY. Mr. President, this morning the Senate adopted a resolution providing that nominations received from the President may be referred by the Chair. May I ask whether the nominations received to-day have been referred to the proper committees under that resolution, or will it be necessary to have an executive session?

The VICE PRESIDENT. The nominations received have not been referred because they have not as yet been presented to the Presiding Officer. If the Senate desires an executive session, they can be presented and referred in such session.

Mr. McNARY. Then, Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT laid before the Senate sundry executive messages from the President of the United States, which were read and referred to the appropriate committees.

The VICE PRESIDENT. Reports of committees are in order. If there be no reports of committees, the calendar is in order.

RECESS

Mr. McNARY. As in legislative session, I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 3 o'clock and 26 minutes p. m.) the Senate, as in legislative session, took a recess until to-morrow, Thursday, December 4, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate December 3, 1930

SECRETARY OF LABOR

William N. Doak, of Virginia, to be Secretary of Labor, vice JAMES J. DAVIS, resigned.

DIPLOMATIC SERVICE

The following-named persons for appointment to the offices to which they were appointed during the last recess of the Senate, as follows:

AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY

J. Reuben Clark, jr., of Utah, to be ambassador extraordinary and plenipotentiary of the United States of America to Mexico.

ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY

Hoffman Philip, of New York, to be envoy extraordinary and minister plenipotentiary of the United States of America to Norway.

Nicholas Roosevelt, of New York, to be envoy extraordinary and minister plenipotentiary of the United States of America to Hungary.

J. Butler Wright, of Wyoming, to be envoy extraordinary and minister plenipotentiary of the United States of America to Uruguay.

MINISTER RESIDENT AND CONSUL GENERAL

Charles E. Mitchell, of West Virginia, to be minister resident and consul general of the United States of America to Liberia.

DIPLOMATIC AND CONSULAR OFFICERS

The following-named Foreign Service officers to be diplomatic and consular officers of the grade to which they were appointed during the last recess of the Senate, as follows:

SECRETARIES IN THE DIPLOMATIC SERVICE

Hayward G. Hill, of Louisiana.

Jay Walker, of the District of Columbia.

George D. La Mont, of New York.

Frederick P. Latimer, jr., of Connecticut.
 Julius Wadsworth, of Connecticut.
 Guy W. Ray, of Alabama.
 Thomas J. Maleady, of Massachusetts.
 David H. Buffum, of Maine.
 George Alexander Armstrong, of New York.
 Garret G. Ackerson, jr., of New Jersey.
 Henry P. Starrett, of Florida.
 Hervé J. L'Heureux, of New Hampshire.
 Edward G. Trueblood, of Illinois.
 Harold D. Finley, of New York.
 William H. Hunt, of New York.
 Felix Cole, of the District of Columbia.

(Not a recess appointment)

Robert English, of Massachusetts, now a Foreign Service officer, unclassified, and a vice consul of career, to be also a secretary in the Diplomatic Service of the United States of America.

CONSULS GENERAL

Calvin M. Hitch, of Georgia.
 Harold D. Clum, of New York.
 Herbert S. Goold, of California.
 William C. Burdett, of Tennessee.

CONSULS

Roy E. B. Bower, of California.
 John E. Holler, of Pennsylvania.
 John McArdle, of Pennsylvania.
 Roy W. Baker, of New York.
 Ellis A. Bonnet, of Texas.
 Robert L. Buell, of New York.
 Leo J. Callanan, of Massachusetts.
 Augustus S. Chase, of Connecticut.
 Alexander P. Cruger, of New York.
 Julian C. Dorr, of New York.
 Frederick W. Hinke, of New York.
 Julius C. Holmes, of Kansas.
 Carlton Hurst, of the District of Columbia.
 Rufus H. Lane, jr., of Virginia.
 John H. Lord, of Massachusetts.
 John H. Morgan, of Massachusetts.
 James E. Parks, of North Carolina.
 William L. Peck, of Connecticut.
 George Tait, of Virginia.
 Howard C. Taylor, of South Dakota.
 William T. Turner, of Georgia.

VICE CONSULS OF CAREER

Hayward G. Hill, of Louisiana.
 Jay Walker, of the District of Columbia.
 David H. Buffum, of Maine.
 Thomas J. Maleady, of Massachusetts.
 Guy W. Ray, of Alabama.
 Hervé J. L'Heureux, of New Hampshire.

FOREIGN SERVICE OFFICERS

The following-named persons to be Foreign Service officers of the United States of America of the class to which they were promoted during the last recess of the Senate, as follows:

From Foreign Service officer of class 2 to Foreign Service officer of class 1:

Frederick T. F. Dumont, of Pennsylvania.
 Arthur Garrels, of Missouri.
 Ransford S. Miller, of New York.
 Mahlon Fay Perkins, of California.
 G. Howland Shaw, of Massachusetts.
 Addison E. Southard, of Kentucky.
 John Campbell White, of Maryland.

From Foreign Service officer of class 3 to Foreign Service officer of class 2:

Thomas D. Bowman, of Missouri.
 George E. Chamberlin, of New York.
 Felix Cole, of the District of Columbia.
 John K. Davis, of Ohio.
 Carl F. Deichman, of Missouri.
 Cornelius Ferris, of Colorado.
 Arthur C. Frost, of Massachusetts.

John A. Gamon, of Illinois.
 Arminius T. Haeberle, of Missouri.
 Lewis W. Haskell, of South Carolina.
 Calvin M. Hitch, of Georgia.
 Philip Holland, of Tennessee.
 Hallett Johnson, of New Jersey.
 John E. Kehl, of Ohio.
 Keith Merrill, of Minnesota.
 Ely E. Palmer, of Rhode Island.
 Henry P. Starrett, of Florida.
 James B. Stewart, of New Mexico.
 Walter C. Thurston, of Arizona.
 North Winship, of Georgia.
 Will L. Lowrie, of Illinois.

From Foreign Service officer of class 4 to Foreign Service officer of class 3:

Walter A. Adams, of South Carolina.
 Joseph W. Ballantine, of Massachusetts.
 Pierre de L. Boel, of Pennsylvania.
 George A. Bucklin, of Oklahoma.
 Charles R. Cameron, of New York.
 Alfred W. Donegan, of Alabama.
 Eugene H. Dooman, of New York.
 W. Roderick Dorsey, of Maryland.
 Joseph E. Haven, of Illinois.
 Clarence B. Hewes, of Louisiana.
 John P. Hurley, of New York.
 Ernest L. Ives, of Virginia.
 Joseph E. Jacobs, of South Carolina.
 Herschel V. Johnson, of North Carolina.
 Wilbur Koblinger, of Virginia.
 Graham H. Kemper, of Kentucky.
 Walter A. Leonard, of Illinois.
 George A. Makinson, of California.
 O. Gaylord Marsh, of Washington.
 John R. Putnam, of Oregon.
 Emil Sauer, of Texas.
 Hugh H. Watson, of Vermont.
 Samuel W. Honaker, of Texas.

From Foreign Service officer of class 5 to Foreign Service officer of class 4:

Wainwright Abbott, of Pennsylvania.
 Walter F. Boyle, of Georgia.
 Parker W. Buhrman, of Virginia.
 Algar E. Carleton, of Vermont.
 Dudley G. Dwyre, of Colorado.
 Joseph Flack, of Pennsylvania.
 George C. Hanson, of Connecticut.
 Frederick P. Hibbard, of Texas.
 Jay C. Huston, of California.
 Jesse B. Jackson, of Ohio.
 Edwin Carl Kemp, of Florida.
 Benjamin Muse, of Virginia.
 Lucien Memminger, of South Carolina.
 Edward I. Nathan, of Pennsylvania.
 Clarence J. Spiker, of the District of Columbia.
 Harold H. Tittmann, jr., of Missouri.
 Henry M. Wolcott, of New York.
 Leslie A. Davis, of New York.

From Foreign Service officer of class 6 to Foreign Service officer of class 5:

Robert R. Bradford, of Nebraska.
 Alfred T. Burri, of New York.
 James G. Carter, of Georgia.
 Arthur B. Cooke, of South Carolina.
 John Corrigan, of Georgia.
 Leonard G. Dawson, of Virginia.
 James Orr Denby, of Indiana.
 Maurice P. Dunlap, of Minnesota.
 Edward M. Groth, of New York.
 Robert W. Heingartner, of Ohio.
 Curtis C. Jordan, of California.
 Robert D. Longyear, of Massachusetts.
 John H. MacVeagh, of New York.
 H. Freeman Matthews, of Maryland.
 George Orr, of New Jersey.

Walter H. Schoellkopf, of New York.
 Richard L. Sprague, of Massachusetts.
 Paul C. Squire, of Massachusetts.
 Marshall M. Vance, of Ohio.
 Henry C. von Struve, of Texas.
 Egmont C. von Tresckow, of South Carolina.
 Henry S. Waterman, of Washington.
 Bartley F. Yost, of Kansas.
 Hooker A. Doolittle, of New York.
 From Foreign Service officer of class 7 to Foreign Service

officer of class 6:

Lee R. Blohm, of Arizona.
 Lawrence P. Briggs, of Michigan.
 Lewis V. Boyle, of California.
 Herbert S. Bursley, of the District of Columbia.
 John S. Calvert, of North Carolina.
 Reginald S. Castleman, of California.
 Stillman W. Eells, of New York.
 Leon H. Ellis, of Washington.
 Lynn W. Franklin, of Maryland.
 Gerhard Gade, of Illinois.
 Waldemar J. Gallman, of New York.
 Raymond H. Geist, of Ohio.
 Stuart E. Grummon, of New Jersey.
 William W. Heard, of Maryland.
 Charles H. Heisler, of Delaware.
 Trojan Kodding, of Pennsylvania.
 Andrew J. McConico, of Mississippi.
 Thomas McEnelly, of New York.
 Lester L. Schnare, of Georgia.
 Leo D. Sturgeon, of Illinois.
 Fletcher Warren, of Texas.
 Leroy Webber, of New York.
 Howard F. Withey, of Michigan.
 David C. Berger, of Virginia.

From Foreign Service officer of class 8 to Foreign Service officer of class 7:

George Atcheson, jr., of California.
 Ralph A. Boernstein, of the District of Columbia.
 Russell M. Brooks, of Oregon.
 George Gregg Fuller, of New York.
 Harvey T. Goodier, of New York.
 Ernest E. Evans, of New York.
 Leonard N. Green, of Minnesota.
 John N. Hamlin, of Oregon.
 Joel C. Hudson, of Missouri.
 George R. Hukill, of Delaware.
 Marcel E. Malige, of Idaho.
 John J. Muccio, of Rhode Island.
 Quincy F. Roberts, of Texas.
 William A. Smale, of California.
 Harry E. Stevens, of California.
 Frederik van den Arend, of North Carolina.

From Foreign Service officer, unclassified at \$3,000, to Foreign Service officer of class 8:

Roy W. Baker, of New York.
 Ellis A. Bonnet, of Texas.
 Robert L. Buell, of New York.
 Leo J. Callanan, of Massachusetts.
 Augustus S. Chase, of Connecticut.
 Alexander P. Cruger, of New York.
 Julian C. Dorr, of New York.
 Frederick W. Hinke, of New York.
 Julius C. Holmes, of Kansas.
 Carlton Hurst, of the District of Columbia.
 Rufus H. Lane, jr., of Virginia.
 John H. Lord, of Massachusetts.
 John H. Morgan, of Massachusetts.
 James E. Parks, of North Carolina.
 William L. Peck, of Connecticut.
 George Tait, of Virginia.
 Howard C. Taylor, of South Dakota.
 William T. Turner, of Georgia.
 Roy E. B. Bower, of California.
 John E. Holler, of Pennsylvania.
 John McArdle, of Pennsylvania.

The following-named persons to be Foreign Service officers, unclassified, of the United States of America, to which office they were appointed during the last recess of the Senate:

Hayward G. Hill, of Louisiana.
 Jay Walker, of the District of Columbia.
 Guy W. Ray, of Alabama.
 Thomas J. Maleady, of Massachusetts.
 David H. Buffum, of Maine.
 Hervé J. L'Heureux, of New Hampshire.

MEMBERS OF THE UNITED STATES TARIFF COMMISSION

The following-named persons to be members of the United States Tariff Commission, to which office they were appointed during the last recess of the Senate, for the terms herein designated, as follows:

For the term expiring June 16, 1936, Henry P. Fletcher, of Pennsylvania.

For the term expiring June 16, 1935, Thomas W. Page, of Virginia.

For the term expiring June 16, 1934, John Lee Coulter, of North Dakota.

For the term expiring June 16, 1933, Alfred P. Dennis, of Maryland.

For the term expiring June 16, 1932, Edgar Bernard Brosard, of Utah.

For the term expiring June 16, 1931, Lincoln Dixon, of Indiana.

MEMBERS OF THE FEDERAL POWER COMMISSION

The following-named persons to be members of the Federal Power Commission for the terms herein designated, as follows:

For the term expiring June 22, 1935, George Otis Smith, of Maine.

For the term expiring June 22, 1934, Frank R. McNinch, of North Carolina.

For the term expiring June 22, 1933, Ralph B. Williamson, of Washington.

For the term expiring June 22, 1932, Marcel Garsaud, of Louisiana.

For the term expiring June 22, 1931, Claude L. Draper, of Wyoming.

MEMBERS OF THE MISSISSIPPI RIVER COMMISSION

Lawrence A. Glenn, of Illinois, for appointment as member of the Mississippi River Commission, provided for by the act of Congress approved June 28, 1879, entitled "An act to provide for the appointment of a Mississippi River Commission for the improvement of said river from the Head of the Passes near its mouth to its headwaters," vice John W. Stipes, resigned.

Lieut. Col. George R. Spalding, Corps of Engineers, United States Army, for appointment as member of the Mississippi River Commission, provided for by the act of Congress approved June 28, 1879, entitled "An act to provide for the appointment of a Mississippi River Commission for the improvement of said river from the Head of the Passes near its mouth to its headwaters," vice Lieut. Col. Jarvis J. Bain, relieved.

MEMBERS OF THE INTERSTATE COMMERCE COMMISSION

The following-named persons for reappointment as members of the Interstate Commerce Commission, for terms expiring December 31, 1937, as follows:

Frank McManamy, of the District of Columbia.

Charles D. Mahaffie, of the District of Columbia.

Charles D. Mahaffie, of the District of Columbia, to be an Interstate Commerce Commissioner for a term expiring December 31, 1930, to which office he was appointed during the last recess of the Senate, vice Thomas F. Woodlock.

MEMBER OF THE FEDERAL FARM LOAN BOARD

Floyd R. Harrison, of the District of Columbia, to be a member of the Federal Farm Loan Board for a term of eight years, expiring August 6, 1933. (Reappointment.)

Mr. Harrison is now serving under temporary commission issued during the recess of the Senate.

MEMBER OF THE FEDERAL RESERVE BOARD

Eugene Meyer, of New York, to be a member of the Federal Reserve Board, to which office he was appointed during the last recess of the Senate, for the unexpired term of 10 years from August 10, 1928, vice Edmund Platt.

COMMISSIONER OF INTERNAL REVENUE

David Burnet, of Ohio, to be Commissioner of Internal Revenue, in place of Robert H. Lucas, resigned.

Mr. Burnet is now serving under temporary commission issued during the recess of the Senate.

COMMISSIONER OF NARCOTICS

Harry J. Anslinger, of Pennsylvania, to be Commissioner of Narcotics. New office created by the act of Congress approved June 14, 1930.

Mr. Anslinger is now serving under temporary commission issued during the recess of the Senate.

MEMBER OF THE BOARD OF MEDIATION

Samuel E. Winslow, of Massachusetts, to be a member of the Board of Mediation for a term expiring five years after January 1, 1931. (Reappointment.)

EXAMINER IN CHIEF IN THE UNITED STATES PATENT OFFICE

James Walter Clift, of Michigan, now holding a recess appointment to the position of Examiner in Chief in the United States Patent Office for permanent appointment, vice George R. Ide, retired.

COLLECTOR OF CUSTOMS

Elwyn T. Clark, of Connecticut, to be collector of customs for customs collection district No. 6, with headquarters at Bridgeport, Conn., in place of Harvey P. Bissell, deceased.

Mr. Clark is now serving under temporary commission issued during the recess of Congress.

UNITED STATES DISTRICT JUDGE

Randolph Bryant, of Texas, to be United States district judge, eastern district of Texas, to succeed W. Lee Estes, deceased.

DISTRICT JUDGE, DISTRICT OF ALASKA

Gudbrand J. Lomen, of Alaska, to be district judge, district of Alaska, division No. 2. He is now serving in this office under an appointment which expired February 16, 1930.

UNITED STATES MARSHALS

Paul H. Creswell, of Ohio, to be United States marshal, southern district of Ohio, to succeed George A. Reeves, appointed by the court.

Herbert E. L. Toombs, of Texas, to be United States marshal, southern district of Texas, to succeed Richard A. Harvin, whose term expired December 21, 1929.

REGISTER OF THE LAND OFFICE

George W. Miller, of Oregon, to be register of the Land Office at The Dalles, Oreg., vice James W. Donnelly, deceased.

PUBLIC HEALTH SERVICE

The following-named officers in the Public Health Service:

* Dr. Clinton T. Messner to be a senior dental surgeon in the grade of senior surgeon, to rank as such from July 23, 1930.

Dr. Robert L. Robinson to be a dental surgeon in the grade of surgeon, to rank as such from July 23, 1930.

Ralph E. Tarbett to be a sanitary engineer in the grade of surgeon, to rank as such from July 23, 1930.

Leslie C. Frank to be a sanitary engineer in the grade of surgeon, to rank as such from July 23, 1930.

Edgar B. Scott to be assistant pharmacist in the grade of assistant surgeon, to rank as such from July 23, 1930.

Edwin M. Holt to be assistant pharmacist in the grade of assistant surgeon, to rank as such from July 23, 1930.

Sr. Surg. William C. Billings to be a medical director, to rank as such from July 25, 1930.

Surg. Gustave M. Corput to be a medical director, to rank as such from July 25, 1930.

Surg. John S. Boggess to be a medical director, to rank as such from July 25, 1930.

Surg. John T. Burkhalter to be a medical director, to rank as such from July 26, 1930.

Asst. Surg. Edward R. Pelikan to be a passed assistant surgeon, to rank as such from July 25, 1930.

Asst. Surg. Ralph B. Snavely to be a passed assistant surgeon, to rank as such from July 25, 1930.

Asst. Surg. Langdon R. White to be a passed assistant surgeon, to rank as such from July 25, 1930.

Ast. Surg. Joseph F. Van Akeren to be a passed assistant surgeon, to rank as such from July 25, 1930.

Surg. Warren F. Draper to be a senior surgeon, to rank as such from August 7, 1930.

Surg. Lewis R. Thompson to be a senior surgeon, to rank as such from September 16, 1930.

Dr. William C. Parker to be a passed assistant dental surgeon in the grade of passed assistant surgeon, to rank as such from September 4, 1930.

Dr. James F. Lewis to be an assistant dental surgeon in the grade of assistant surgeon, to rank as such from September 4, 1930.

Charles Wardell Stiles to be a medical director, to rank as such from September 5, 1930.

Dr. William S. Terriberry to be a medical director, to rank as such from September 5, 1930.

Joseph A. LePrince to be a senior sanitary engineer in the grade of senior surgeon, to rank as such from September 5, 1930.

Dr. Thomas H. D. Griffiths to be a surgeon, to rank as such from September 5, 1930.

Dr. William L. Smith to be a surgeon, to rank as such from September 5, 1930.

Dr. Oswald E. Denney to be a surgeon, to rank as such from September 5, 1930.

Dr. Oliver C. Wenger to be a surgeon, to rank as such from September 5, 1930.

Dr. Stephen A. De Martini to be a surgeon, to rank as such from September 5, 1930.

Dr. John M. Lowrey to be a surgeon, to rank as such from September 5, 1930.

Dr. Egbert M. Townsend to be a surgeon, to rank as such from September 5, 1930.

Dr. Norman Y. Hooper to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. Alf Einar Nannestad to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. Robert C. Stewart to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. William T. Wright, jr., to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. Frank C. Cady to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. Ozias Paquin, jr., to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. Daniel B. Newell to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. Charles W. Wekenman to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. Eugene C. Stamm to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. Stanmore P. Marshall to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. William O. Boss to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. H. Trendley Dean to be a dental surgeon in the grade of surgeon, to rank as such from September 5, 1930.

Dr. Carl Pickett to be a passed assistant dental surgeon in the grade of passed assistant surgeon, to rank as such from September 5, 1930.

Dr. Frederick W. Harper to be a passed assistant dental surgeon in the grade of passed assistant surgeon, to rank as such from September 5, 1930.

Dr. Allen M. Perkins to be passed assistant dental surgeon in the grade of passed assistant surgeon, to rank as such from September 5, 1930.

John K. Hoskins to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

Harold W. Streeter to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

Harry R. Crohurst to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

Harry B. Hommon to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

Abraham W. Fuchs to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

William H. W. Komp to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

Lawrence M. Fisher to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

Howard N. Old to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

Frank R. Shaw to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

Leonard Greenburg to be a sanitary engineer in the grade of surgeon, to rank as such from September 5, 1930.

Arthur L. Dopmeyer to be a passed assistant sanitary engineer in the grade of passed assistant surgeon, to rank as such from September 5, 1930.

Edmund C. Sullivan to be a passed assistant sanitary engineer in the grade of passed assistant surgeon, to rank as such from September 5, 1930.

Arthur P. Miller to be a passed assistant sanitary engineer in the grade of passed assistant surgeon, to rank as such from September 5, 1930.

Frederic J. Moss to be a passed assistant sanitary engineer in the grade of passed assistant surgeon, to rank as such from September 5, 1930.

Asst. Surg. John R. Murdock to be a passed assistant surgeon, to rank as such from September 12, 1930.

Dr. Elmer A. Carberry to be a passed assistant surgeon, to rank as such from October 1, 1930.

Dr. Roy R. Jones to be a passed assistant surgeon, to rank as such from October 1, 1930.

Dr. Calvin C. Applewhite to be a passed assistant surgeon, to rank as such from October 1, 1930.

Dr. Roy E. Bodet to be a passed assistant surgeon, to rank as such from October 1, 1930.

Dr. Frank V. Meriwether to be a passed assistant surgeon, to rank as such from October 1, 1930.

Dr. Walter G. Nelson to be a passed assistant surgeon, to rank as such from October 1, 1930.

Asst. Surg. Hiram J. Bush to be a passed assistant surgeon, to rank as such from October 16, 1930.

Asst. Surg. Houston G. Foster to be a passed assistant surgeon, to rank as such from October 16, 1930.

Asst. Surg. Samuel J. Hall to be a passed assistant surgeon, to rank as such from October 16, 1930.

Asst. Surg. Edgar W. Norris to be a passed assistant surgeon, to rank as such from October 16, 1930.

Asst. Surg. Donald P. Ross to be a passed assistant surgeon, to rank as such from October 16, 1930.

Asst. Surg. Aubrey E. Snowe to be a passed assistant surgeon, to rank as such from October 16, 1930.

Asst. Surgeon Richard B. Holt to be a passed assistant surgeon, to rank as such from October 20, 1930.

Henry A. Johnson to be a passed assistant sanitary engineer in the grade of passed assistant surgeon, to rank as such from September 5, 1930.

Omar C. Hopkins to be assistant sanitary engineer in the grade of assistant surgeon, to rank as such from September 5, 1930.

William L. Stearns to be assistant pharmacist in the grade of assistant surgeon, to rank as such from September 5, 1930.

Frank L. Gibson to be assistant pharmacist in the grade of assistant surgeon, to rank as such from September 5, 1930.

Newton C. Comfort to be assistant pharmacist in the grade of assistant surgeon, to rank as such from September 5, 1930.

Carl Stier to be assistant pharmacist in the grade of assistant surgeon, to rank as such from September 5, 1930.

Clarence H. Bierman to be assistant pharmacist in the grade of assistant surgeon, to rank as such from September 5, 1930.

Walter H. Keen to be assistant pharmacist in the grade of assistant surgeon, to rank as such from September 5, 1930.

Raymond D. Kinsey to be assistant pharmacist in the grade of assistant surgeon, to rank as such from September 5, 1930.

Thomas C. Armstrong to be assistant pharmacist in the grade of assistant surgeon, to rank as such from September 5, 1930.

These officers are now serving under temporary commissions issued during the recess of the Senate.

COAST GUARD

The following-named officers in the Coast Guard of the United States:

John T. Stanley to be a temporary ensign, to rank as such from July 28, 1930.

William I. Swanston to be a temporary ensign, to rank as such from July 30, 1930.

Clyde G. Tarkenton to be a temporary ensign, to rank as such from July 28, 1930.

Arthur M. Root, jr., to be a temporary ensign, to rank as such from July 28, 1930.

Chief Boatswain (Life Saving) Ward W. Bennett to be a district commander, with the rank of lieutenant, to rank as such from September 1, 1930, in place of Gus B. Lofberg, retired.

Harry N. Renshaw to be a temporary ensign, to rank as such from August 26, 1930.

William E. Creedon to be a temporary ensign, to rank as such from September 17, 1930.

District Commander, with the rank of lieutenant, Ralph T. Crowley to be a district commander, with the rank of lieutenant commander, to rank as such from September 10, 1930.

District Commander, with the rank of lieutenant, Martin W. Rasmussen, to be a district commander, with the rank of lieutenant commander, to rank as such from September 9, 1930.

Gunner John Ask to be a chief gunner, to rank as such from November 1, 1930.

Lieutenant (Junior Grade) Stewart P. Mehlman to be a lieutenant, to rank as such from October 10, 1930.

Henry A. Meyer to be a temporary ensign, to rank as such from November 3, 1930.

These officers are now serving under temporary commissions issued during the recess of the Senate.

APPOINTMENTS IN THE ARMY

To be general, while holding office as Chief of Staff of the Army, with rank from November 21, 1930, under the provisions of an act of Congress approved February 23, 1929

Maj. Gen. Douglas MacArthur, vice Gen. Charles P. Summerall, Chief of Staff, whose term of office expired November 20, 1930.

To be major general

Brig. Gen. George Van Horn Moseley, from September 1, 1930, vice Maj. Gen. Henry D. Todd, retired from active service August 31, 1930.

To be brigadier generals

Col. Manus McCloskey, Field Artillery, from September 1, 1930, vice Brig. Gen. George V. H. Moseley, who accepted appointment as major general September 1, 1930.

Col. Stanley Hamer Ford, Infantry, from September 1, 1930, vice Brig. Gen. William W. Harts, retired from active service August 31, 1930.

Col. Stanley Dunbar Embick, Coast Artillery Corps, from September 1, 1930, vice Brig. Gen. Herbert O. Williams, retired from active service August 31, 1930.

Col. Herbert Jay Brees, Cavalry, from November 1, 1930, vice Brig. Gen. Charles J. Symmonds, retired from active service October 31, 1930.

Col. James Kelly Parsons, Infantry, from December 1, 1930, vice Brig. Gen. Frank M. Caldwell, retired from active service November 30, 1930.

To be assistant to the Chief of Ordnance, with the rank of brigadier general, for the period of four years beginning September 1, 1930, with rank from September 1, 1930

Col. Edwin Dyson Bricker, Ordnance Department, vice Brig. Gen. Colden L.H. Ruggles, assistant to the Chief of Ordnance, retired from active service August 31, 1930.

To be professor of economics, government, and history at the United States Military Academy

Maj. Herman Beukema, Field Artillery, from November 1, 1930, vice Prof. Lucius H. Holt, resigned October 31, 1930.

MEDICAL CORPS

To be first lieutenants

First Lieut. Gustave Everett Ledfors, Medical Corps Reserve, with rank from July 2, 1930.

First Lieut. Harry Boaz Ditmore, Medical Corps Reserve, with rank from August 1, 1930.

First Lieut. Armin Walter Leuschner, Medical Corps Reserve, with rank from September 1, 1930.

First Lieut. Ralph Vernon Plew, Medical Corps Reserve, with rank from September 13, 1930.

First Lieut. Wayne Glassburn Brandstadt, Medical Corps Reserve, with rank from September 15, 1930.

First Lieut. Edward James Kendricks, Medical Corps Reserve, with rank from October 1, 1930.

First Lieut. Oliver Harold Waltrip, Medical Corps Reserve, with rank from October 1, 1930.

DENTAL CORPS

To be first lieutenants

First Lieut. James Simon Cathroe, Dental Corps Reserve, with rank from August 11, 1930.

First Lieut. Ingolf Bernardt Hauge, Dental Corps Reserve, with rank from September 1, 1930.

First Lieut. John LeRoy Carter, Dental Corps Reserve, with rank from November 4, 1930.

VETERINARY CORPS

To be second lieutenants

Second Lieut. Wesley Watson Bertz, Veterinary Corps Reserve, with rank from August 1, 1930.

Second Lieut. Edgerton Lynn Watson, Veterinary Corps Reserve, with rank from August 1, 1930.

Second Lieut. Austin Taylor Getz, Veterinary Corps Reserve, with rank from August 1, 1930.

MEDICAL ADMINISTRATIVE CORPS

To be second lieutenants

Staff Sergt. Cecil Brooks, Medical Department, with rank from August 1, 1930.

Sergt. Homer Clarence McCullough, Medical Department, with rank from August 14, 1930.

Staff Sergt. Charles Boone Hanes, Medical Department, with rank from November 1, 1930.

Staff Sergt. Joseph Carmack, Medical Department, with rank from November 1, 1930.

CHAPLAIN

To be chaplain with the rank of first lieutenant

Maj. Frederick William Hagan, Chaplain Reserve, with rank from July 2, 1930.

REAPPOINTMENT IN THE ARMY

To be Surgeon General

Maj. Gen. Merritte Weber Ireland, Surgeon General, to be Surgeon General, with the rank of major general, for the period of four years, beginning October 30, 1930, with rank from October 4, 1918.

APPOINTMENTS, BY TRANSFER, IN THE ARMY

TO COAST ARTILLERY CORPS

First Lieut. Escalus Emmert Elliott, Field Artillery, August 14, 1930, with rank from November 23, 1925.

Second Lieut. Albert Eugene Dennis, Signal Corps, July 26, 1930, with rank from June 12, 1930.

TO INFANTRY

Lieut. Col. Thomas Norton Gimperling, Quartermaster Corps, July 28, 1930, with rank from November 1, 1928.

TO ORDNANCE DEPARTMENT

First Lieut. Leslie Earl Simon, Coast Artillery Corps (detailed in Ordnance Department), with rank from March 5, 1929.

TO AIR CORPS

Second Lieut. James Keller DeArmond, Signal Corps (detailed in Air Corps), July 23, 1930, with rank from June 12, 1925.

Second Lieut. Laurence Sherman Kuter, Field Artillery (detailed in Air Corps), July 23, 1930, with rank from June 14, 1927.

Second Lieut. George McCoy, jr., Infantry (detailed in Air Corps), with rank from June 14, 1927.

Second Lieut. David Peter Laubach, Corps of Engineers (detailed in Air Corps), July 23, 1930, with rank from June 9, 1928.

Second Lieut. James Elbert Briggs, Field Artillery (detailed in Air Corps), July 23, 1930, with rank from June 9, 1928.

Second Lieut. Robert Loyal Easton, Field Artillery (detailed in Air Corps), July 23, 1930, with rank from June 9, 1928.

Second Lieut. Richard Perry O'Keefe, Field Artillery (detailed in Air Corps), July 23, 1930, with rank from June 9, 1928.

Second Lieut. Fred Obediah Tally, Infantry (detailed in Air Corps), July 23, 1930, with rank from June 9, 1928.

Second Lieut. Delma Taft Spivey, Infantry (detailed in Air Corps), July 23, 1930, with rank from June 9, 1928.

Second Lieut. William Columbus Sams, jr., Infantry (detailed in Air Corps), July 23, 1930, with rank from June 9, 1928.

Second Lieut. Don Zabriskie Zimmerman, Corps of Engineers (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Frederick Rodgers Dent, jr., Corps of Engineers (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Harold Huntley Bassett, Corps of Engineers (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Howard Moore, Corps of Engineers (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. James Lee Majors, Corps of Engineers (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Roger James Browne, Cavalry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Joseph Jennings Ladd, Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Thomas Ludwell Bryan, jr., Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. John Knox Poole, Field Artillery (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. John Coleman Horton, Field Artillery (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Marshall Stanley Roth, Quartermaster Corps (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Rudolph Fink, Coast Artillery Corps (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Robert Maurice Kraft, Field Artillery (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Roy Garfield Cuno, Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Frederic Harrison Smith, jr., Field Artillery (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Donald John Keirn, Field Artillery (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Donald Wilbur Armagost, Cavalry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Dwight Bahney Schannep, Field Artillery (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Robert Moffat Losey, Field Artillery (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. John Jackson O'Hara, jr., Field Artillery (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Emery Scott Wetzel, Field Artillery (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. William Ernest Karnes, Cavalry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. William Gilmer Bowyer, Signal Corps (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Edward Auld Dodson, Coast Artillery Corps (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. John William Stribling, jr., Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Thomas Benton McDonald, Coast Artillery Corps (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Melie John Coutlee, Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Daniel Campbell Doubleday, Coast Artillery Corps (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Jerald Worden McCoy, Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Pearl Harvey Robey, Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Charles Glendon Williamson, Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. George Putnam Moody, Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Keene Watkins, Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. John Nicholas Stone, Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Phineas Kimball Morrill, jr., Infantry (detailed in Air Corps), with rank from June 13, 1929.

Second Lieut. Thomas Richard Lynch, Infantry (detailed in Air Corps), with rank from June 13, 1929.

PROMOTIONS IN THE ARMY

To be colonels

Lieut. Col. Raymond Westcott Briggs, Field Artillery, from July 14, 1930.

Lieut. Col. James Lawrence Long, Coast Artillery Corps, from September 1, 1930.

Lieut. Col. Ralph Molyneux Mitchell, Coast Artillery Corps, from September 1, 1930.

Lieut. Col. Frederick Louis Dengler, Coast Artillery Corps, from September 1, 1930.

Lieut. Col. Richard Howard Williams, Coast Artillery Corps, from September 1, 1930.

Lieut. Col. Lewis Stoddard Ryan, Field Artillery, from September 1, 1930.

Lieut. Col. Tilman Campbell, Finance Department, from September 1, 1930.

Lieut. Col. Thomas Lilley Sherburne, Cavalry, from September 2, 1930.

Lieut. Col. Francis Hicks Lincoln, Coast Artillery Corps, from October 1, 1930.

Lieut. Col. William Henry Wilson, Coast Artillery Corps, from October 1, 1930.

Lieut. Col. Augustus Bennett Warfield, Quartermaster Corps, from October 1, 1930.

Lieut. Col. Edward Dennis Powers, Coast Artillery Corps, from October 1, 1930.

Lieut. Col. Howard Lee Landers, Field Artillery, from October 1, 1930.

Lieut. Col. William Henry Burt, Field Artillery, from October 1, 1930.

Lieut. Col. Arthur Leonard Fuller, Coast Artillery Corps, from October 1, 1930.

Lieut. Col. John Sherman Chambers, Quartermaster Corps, from October 1, 1930.

Lieut. Col. Laurin Leonard Lawson, Field Artillery, from October 1, 1930.

Lieut. Col. Morris Ernest Locke, Field Artillery, from November 1, 1930.

Lieut. Col. James Regan, Quartermaster Corps, from November 1, 1930.

Lieut. Col. Gilbert McKee Allen, Infantry, from November 1, 1930.

Lieut. Col. John Randolph, Infantry, from November 1, 1930.

Lieut. Col. William Hume Clendenin, Infantry, from November 1, 1930.

To be lieutenant colonels

Maj. Edgar Lee Field, Infantry, from July 14, 1930.

Maj. Jere Baxter, Infantry, from August 1, 1930.

Maj. Frank Kirby Chapin, Cavalry, from September 1, 1930.

Maj. Lloyd Ralston Fredendall, Infantry, from September 1, 1930.

Maj. Rowan Palmer Lemly, Infantry, from September 1, 1930.

Maj. Frank Thorp, jr., Field Artillery, from September 1, 1930.

Maj. Leroy Pierce Collins, Field Artillery, from September 1, 1930.

Maj. Ballard Lyerly, Field Artillery, from September 1, 1930.

Maj. George Albert Wildrick, Coast Artillery Corps, from September 2, 1930.

Maj. Allen Kimberly, Coast Artillery Corps, from October 1, 1930.

Maj. Thomas Aquila Clark, Ordnance Department, from October 1, 1930.

Maj. Phillip Woodfin Booker, Field Artillery, from October 1, 1930.

Maj. James Alexander O'Connor, Corps of Engineers, from October 1, 1930.

Maj. Lewis Hayes Watkins, Corps of Engineers, from October 1, 1930.

Maj. Richard Park, Corps of Engineers, from October 1, 1930.

Maj. Daniel Isom Sultan, Corps of Engineers, from October 1, 1930, subject to examination required by law.

Maj. John Boursiquat Rose, Ordnance Department, from October 1, 1930.

Maj. Charles Tillman Harris, jr., Ordnance Department, from October 1, 1930.

Maj. Maxwell Murray, Field Artillery, from October 1, 1930.

Maj. William Edgar Shedd, jr., Coast Artillery Corps, from October 1, 1930.

Maj. Royal Kemp Greene, Coast Artillery Corps, from October 1, 1930.

Maj. Howard Kendall Loughry, Coast Artillery Corps, from November 1, 1930.

Maj. Robert Price Glassburn, Coast Artillery Corps, from November 1, 1930.

Maj. Harry Keneth Rutherford, Ordnance Department, from November 1, 1930.

Maj. Paul Jones Horton, Coast Artillery Corps, from November 1, 1930.

Maj. Fred Taylor Cruse, Field Artillery, from November 1, 1930, subject to examination required by law.

Maj. James Preston Marley, Field Artillery, from November 1, 1930.

Maj. Robert Arthur, Coast Artillery Corps, from November 1, 1930.

Maj. Lucian Dent Booth, Ordnance Department, from November 1, 1930.

Maj. Waldo Charles Potter, Field Artillery, from November 1, 1930.

Maj. Henry Henderson Pfeil, The Adjutant General's Department, from November 1, 1930.

Maj. Clyde Leslie Eastman, Signal Corps, from November 1, 1930.

To be majors

Capt. George Ralph Barker, Infantry, from July 14, 1930.

Capt. John Waldemar Thompson, Infantry, from August 1, 1930.

Capt. Philip Overstreet, Infantry, from August 2, 1930.

Capt. Archie Arrington Farmer, Signal Corps, from September 1, 1930.

Capt. Charles Sabin Ferrin, Field Artillery, from September 1, 1930.

Capt. Edward Lodge McKee, jr., Infantry, from September 1, 1930.

Capt. Joseph Henry Dent, Quartermaster Corps, from September 1, 1930.

Capt. Hugh Williams, Quartermaster Corps, from September 1, 1930.

Capt. John Moultrie Ward, Quartermaster Corps, from September 1, 1930.

Capt. William Tecumseh Haldeman, Cavalry, from September 1, 1930.

Capt. James Michael Grey, Quartermaster Corps, from September 1, 1930.

Capt. Arnold Melville Reeve, Quartermaster Corps, from September 2, 1930.

Capt. William Charles Ocker, Air Corps, from October 1, 1930.

Capt. William Frederick Vollandt, Air Corps, from October 1, 1930.

Capt. Alexander Newton Stark, jr., Infantry, from October 1, 1930.

Capt. Roger Hilsman, Infantry, from October 1, 1930.

Capt. Holmes Ely Dager, Infantry, from October 1, 1930.

Capt. Harry Elmer Fischer, Infantry, from October 1, 1930.

Capt. Roger Williams, jr., Infantry, from October 1, 1930.

Capt. Harry Brandley Hildebrand, Infantry, from October 1, 1930.

Capt. Louis Whorley Hasslock, Field Artillery, from October 1, 1930.

Capt. Henry Alfred Schwarz, Field Artillery, from October 1, 1930.

Capt. Frederick Stone Matthews, Infantry, from October 1, 1930.

Capt. William E. Kepner, Air Corps, from October 1, 1930.

Capt. William Ogden Johnson, Cavalry, from October 1, 1930.

Capt. Marcus Aurelius Smith Ming, Field Artillery, from October 1, 1930.

Capt. Walter Raymond Graham, Infantry, from November 1, 1930.

Capt. Albert Hovey Peyton, Infantry, from November 1, 1930.

Capt. James Patrick Murphy, Infantry, from November 1, 1930.

Capt. Jacob Edward Bechtold, Infantry, from November 1, 1930.

Capt. Neal Creighton Johnson, Infantry, from November 1, 1930.

Capt. Norman Pyle Groff, Infantry, from November 1, 1930.

Capt. Glenn Adelbert Ross, Infantry, from November 1, 1930.

Capt. Francis Augustus Woolfley, Infantry, from November 1, 1930.

Capt. Nelson Dingley, 3d, Coast Artillery Corps, from November 1, 1930.

Capt. Richard Marshall Winfield, Infantry, from November 1, 1930.

Capt. Claudius Miller Easley, Infantry, from November 1, 1930.

Capt. Richard Weaver Hocker, Field Artillery, from November 1, 1930.

To be captains

First Lieut. George Stainback Deaderick, Infantry, from July 3, 1930.

First Lieut. Arthur Dana Elliot, Ordnance Department, from July 14, 1930.

First Lieut. Virgil Hine, Air Corps, from July 14, 1930.

First Lieut. John Paul Richter, Air Corps, from July 19, 1930.

First Lieut. Rene Raimond Studler, Ordnance Department, from July 23, 1930.

First Lieut. Howard Burdette Nurse, Quartermaster Corps, from July 31, 1930.

First Lieut. Oscar Mitchell Massey, Cavalry, from August 1, 1930.

First Lieut. John Montgomery Heath, Signal Corps, from August 1, 1930.

First Lieut. Robert George Howie, Infantry, from August 1, 1930.

First Lieut. Ralph Wiltamuth, Infantry, from August 1, 1930.

First Lieut. Einar Nelson Schjerven, Cavalry, from August 1, 1930.

First Lieut. John William Irwin, Infantry, from August 2, 1930.

First Lieut. Robert LeRoy Nesbit, Infantry, from August 11, 1930.

First Lieut. Joseph Kahler Evans, Infantry, from August 12, 1930.

First Lieut. Lawrence Haley Caruthers, Field Artillery, from August 13, 1930.

First Lieut. Frank La Rue, Infantry, from September 1, 1930.

First Lieut. Thomas Henry Mills, Quartermaster Corps, from September 1, 1930.

First Lieut. Louis Clifford Webster, Quartermaster Corps, from September 1, 1930.

First Lieut. John Beveridge, jr., Air Corps, from September 1, 1930.

First Lieut. Julian Dayton, Infantry, from September 1, 1930.

First Lieut. Elmer Hostetter, Quartermaster Corps, from September 1, 1930.

First Lieut. Michael Everett McHugo, Air Corps, from September 1, 1930.

First Lieut. William Mason Wright, jr., Field Artillery, from September 1, 1930.

First Lieut. Glen Dison Gorton, Quartermaster Corps, from September 1, 1930.

First Lieut. Philip Whalley Allison, Field Artillery, from September 1, 1930.

First Lieut. James Lionel Grisham, Air Corps, from September 2, 1930.

First Lieut. Joseph Worthen Proctor, Ordnance Department, from September 17, 1930.

First Lieut. Earl Seeley Hoag, Air Corps, from October 1, 1930.

First Lieut. Vincent James Meloy, Air Corps, from October 1, 1930.

First Lieut. Charles Egbert Branshaw, Air Corps, from October 1, 1930.

First Lieut. Edward Whiting Raley, Air Corps, from October 1, 1930.

First Lieut. Earle Hayden Tonkin, Air Corps, from October 1, 1930.

First Lieut. James Troy Hutchison, Air Corps, from October 1, 1930.

First Lieut. Ivan Leon Foster, Field Artillery, from October 1, 1930.

First Lieut. Edwin Randolph Page, Air Corps, from October 1, 1930.

First Lieut. Abraham Bernard Thumel, Quartermaster Corps, from October 1, 1930.

First Lieut. Harvey Hodges Holland, Air Corps, from October 1, 1930.

First Lieut. Russell Lowell Maughan, Air Corps, from October 1, 1930.

First Lieut. Walter Miller, Air Corps, from October 1, 1930.

First Lieut. John William Slattery, Ordnance Department, from October 1, 1930.

First Lieut. Charles Emile Stafford, Quartermaster Corps, from October 1, 1930.

First Lieut. Oliver Perry Gothlin, jr., Air Corps, from October 1, 1930.

First Lieut. Eugene Benjamin Bayley, Air Corps, from October 1, 1930.

First Lieut. Dache McClain Reeves, Air Corps, from October 1, 1930.

First Lieut. Leo Fred Post, Air Corps, from October 1, 1930.

First Lieut. John Carroll Kennedy, Air Corps, from October 1, 1930.

First Lieut. Oscar George Fegan, Quartermaster Corps, from October 1, 1930.

First Lieut. William Albert Hayward, Air Corps, from November 1, 1930.

First Lieut. Thomas Jefferson Davis, Infantry, from November 1, 1930.

First Lieut. Edmund Pendleton Gaines, Air Corps, from November 1, 1930.

First Lieut. Harvey William Prosser, Air Corps, from November 1, 1930.

First Lieut. Clayton Lawrence Bissell, Air Corps, from November 1, 1930.

First Lieut. Horace Simpson Kenyon, jr., Air Corps, from November 1, 1930.

First Lieut. Eugene Robert Cowles, Infantry, from November 1, 1930.

First Lieut. Philip Henry Kron, Infantry, from November 1, 1930.

First Lieut. John Francis Alcure, Quartermaster Corps, from November 1, 1930.

First Lieut. Zane Irwin Adair, Infantry, from November 1, 1930.

First Lieut. Robert Clyde Sanders, Infantry, from November 1, 1930.

First Lieut. Joseph Henry Hussing, Infantry, from November 1, 1930.

First Lieut. Wallace Marmaduke Allison, Quartermaster Corps, from November 1, 1930.

First Lieut. Leland Charles Hurd, Air Corps, from November 1, 1930.

First Lieut. Robert Victor Ignico, Air Corps, from November 11, 1930.

First Lieut. Rutledge Maurice Lawson, Infantry, from November 19, 1930.

First Lieut. Leland Ross Hewitt, Air Corps, from November 20, 1930.

To be first lieutenants

Second Lieut. Howard Hunt Couch, Air Corps, from July 3, 1930.

Second Lieut. Wilfred Joseph Paul, Air Corps, from July 14, 1930.

Second Lieut. Glenn L. Davasher, Air Corps, from July 14, 1930.

Second Lieut. Charles Stowe Stodter, Signal Corps, from July 16, 1930.

Second Lieut. Charles Henry Barth, jr., Corps of Engineers, from July 19, 1930.

Second Lieut. Standish Weston, Corps of Engineers, from July 23, 1930.

Second Lieut. Raymond Burkholder Oxrieder, Corps of Engineers from July 29, 1930, subject to examination required by law.

Second Lieut. Gerald Edward Galloway, Corps of Engineers, from July 31, 1930.

Second Lieut. Harrod George Miller, Signal Corps, from August 1, 1930.

Second Lieut. Charles Hare Mason, Corps of Engineers, from August 1, 1930.

Second Lieut. Carl Rueben Dutton, Coast Artillery Corps, from August 1, 1930.

Second Lieut. George Kenyon Withers, Corps of Engineers, from August 1, 1930.

Second Lieut. Arleigh Todd Bell, Corps of Engineers, from August 1, 1930.

Second Lieut. Thomas Leonard Harrold, Cavalry, from August 2, 1930.

Second Lieut. Kenneth William Treacy, Field Artillery, from August 11, 1930.

Second Lieut. Vincent Joseph Esposito, Corps of Engineers, from August 12, 1930.

Second Lieut. Robert Lee Howze, jr., Cavalry, from August 13, 1930.

Second Lieut. Leland Berrel Kuhre, Corps of Engineers, from September 1, 1930, subject to examination required by law.

Second Lieut. Colby Maxwell Myers, Corps of Engineers, from September 1, 1930.

Second Lieut. Ralph Tibbs Garver, Cavalry, from September 1, 1930.

Second Lieut. William Ludlow Ritchie, Air Corps (transferred from Field Artillery during the recess of the Senate), from September 1, 1930.

Second Lieut. Amos Tappan Akerman, Corps of Engineers, from September 1, 1930.

Second Lieut. Olive Cass Torbett, Corps of Engineers, from September 1, 1930.

Second Lieut. Rogers Alan Gardner, Cavalry, from September 1, 1930.

Second Lieut. Albert Harvey Burton, Corps of Engineers, from September 1, 1930.

Second Lieut. Bruce Cooper Clarke, Corps of Engineers, from September 1, 1930.

Second Lieut. Carl William Meyer, Corps of Engineers, from September 1, 1930.

Second Lieut. John Henry Dulligan, Air Corps, from September 1, 1930.

Second Lieut. David Henry Tulley, Corps of Engineers, from September 2, 1930.

Second Lieut. Walter Grant Bryte, jr., Air Corps, from September 4, 1930.

Second Lieut. Kyril Leighton-Faxford de Gravelines, Coast Artillery Corps, from September 12, 1930.

Second Lieut. Warren Nourse Underwood, Corps of Engineers, from September 17, 1930.

Second Lieut. Miles Merrill Dawson, Corps of Engineers, from September 18, 1930.

Second Lieut. Charles Parsons Nicholas, Field Artillery, from October 1, 1930.

Second Lieut. Russell Edward Randall, Air Corps, from October 1, 1930.

Second Lieut. Carl Warren Holcomb, Coast Artillery Corps, from October 1, 1930.

Second Lieut. Armand Hopkins, Coast Artillery Corps, from October 1, 1930.

Second Lieut. Timothy Lawrence Mulligan, Corps of Engineers, from October 1, 1930, subject to examination required by law.

Second Lieut. Finis Ewing Dunaway, jr., Corps of Engineers, from October 1, 1930.

Second Lieut. Benjamin Cobb Fowlkes, jr., Corps of Engineers, from October 1, 1930.

Second Lieut. John Wilson Huyssoon, Coast Artillery Corps, from October 1, 1930.

Second Lieut. Frank Gilbert Fraser, Cavalry, from October 1, 1930.

Second Lieut. Stanley James Horn, Corps of Engineers, from October 1, 1930, subject to examination required by law.

Second Lieut. Frank Andrew Pettit, Corps of Engineers, from October 1, 1930.

Second Lieut. William O'Connor Heacock, Cavalry, from October 1, 1930.

Second Lieut. Walter William Hodge, Corps of Engineers, from October 1, 1930.

Second Lieut. William Henry Nutter, Cavalry, from October 1, 1930.

Second Lieut. Oscar Carl Maier, Signal Corps, from October 1, 1930.

Second Lieut. Ralph Augustus Lincoln, Corps of Engineers, from October 1, 1930.

Second Lieut. Gilbert Edward Linkswiler, Corps of Engineers, from October 1, 1930, subject to examination required by law.

Second Lieut. Aubrey Strode Newman, Infantry, from October 1, 1930.

Second Lieut. Ernest Victor Holmes, Field Artillery, from October 1, 1930.

Second Lieut. William Frank Steer, Coast Artillery Corps, from October 1, 1930.

Second Lieut. Wiley Thomas Moore, Field Artillery, from October 1, 1930.

Second Lieut. Ronald Montgomery Shaw, Cavalry, from October 1, 1930.

Second Lieut. Conrad Stanton Babcock, Cavalry, from November 1, 1930.

Second Lieut. Thomas Elton Smith, Field Artillery, from November 1, 1930.

Second Lieut. Alvin Truett Bowers, Coast Artillery Corps, from November 1, 1930.

Second Lieut. William Henry Bigelow, Infantry, from November 1, 1930.

Second Lieut. Lewis Ackley Riggins, Infantry, from November 1, 1930.

Second Lieut. Willard Lamborn Wright, Field Artillery, from November 1, 1930.

Second Lieut. John Frederick Gamber, Coast Artillery Corps, from November 1, 1930.

Second Lieut. Ernest Andrew Barlow, Infantry, from November 1, 1930.

Second Lieut. John Loomis Chamberlain, jr., Field Artillery, from November 1, 1930.

Second Lieut. Frank John Hierholzer, Field Artillery, from November 1, 1930.

Second Lieut. Carl Frederick Tischbein, Coast Artillery Corps, from November 1, 1930.

Second Lieut. John Salisbury Fisher, Infantry, from November 1, 1930.

Second Lieut. Charles Pearre Cabell, Field Artillery, from November 1, 1930.

Second Lieut. James Joseph Deery, Field Artillery, from November 1, 1930.

Second Lieut. Allen Ward De Wees, Coast Artillery Corps, from November 1, 1930.

Second Lieut. Archer Frank Freund, Field Artillery, from November 1, 1930.

Second Lieut. Roland Ainslee Browne, Cavalry, from November 1, 1930.

Second Lieut. Milo Howard Matteson, Cavalry, from November 8, 1930.

Second Lieut. William John Carne, Infantry, from November 11, 1930.

Second Lieut. John Stephan Henn, Coast Artillery Corps, from November 19, 1930.

Second Lieut. Henry Randolph Westphalinger, Cavalry, from November 20, 1930.

MEDICAL CORPS

To be colonels

Lieut. Col. Howard Houghton Baily, Medical Corps, from July 8, 1930.

Lieut. Col. Paul Lamar Freeman, Medical Corps, from July 8, 1930.

Lieut. Col. Edgar William Miller, Medical Corps, from July 8, 1930.

To be majors

Capt. Leland Elder Dashiell, Medical Corps, from July 4, 1930.

Capt. George William Reyer, Medical Corps, from July 4, 1930.

Capt. Oscar Thweatt Kirksey, Medical Corps, from July 6, 1930.

Capt. Byron Johnson Peters, Medical Corps, from July 13, 1930.

Capt. Joseph Rogers Darnall, Medical Corps, from July 15, 1930.

Capt. Harold Arthur Kirkham, Medical Corps, from July 20, 1930.

Capt. Henry William Meisch, Medical Corps, from July 24, 1930.

Capt. Leland Oliver Walter Moore, Medical Corps, from July 26, 1930.

Capt. Lewis Bradley Bibb, Medical Corps, from July 30, 1930.

Capt. Arthur Wheeler Drew, Medical Corps, from August 7, 1930.

Capt. Alexander Palmer Kelly, Medical Corps, from August 19, 1930.

Capt. Francis William Gustites, Medical Corps, from August 31, 1930.

Capt. William Samuel Prout, Medical Corps, from September 1, 1930.

Capt. Walter Fleming Hamilton, Medical Corps, from September 3, 1930.

Capt. Elgen Clayton Pratt, Medical Corps, from September 4, 1930.

Capt. Frank Tenny Chamberlin, Medical Corps, from September 6, 1930.

Capt. Harry Ripley Melton, Medical Corps, from September 8, 1930.

Capt. James Martin Miller, Medical Corps, from September 9, 1930.

Capt. Howard Joseph Hutter, Medical Corps, from September 21, 1930.

Capt. Charles Vincent Hart, Medical Corps, from September 22, 1930.

Capt. Irwin Bradfield Smock, Medical Corps, from September 27, 1930.

Capt. David Loran Robeson, Medical Corps, from October 8, 1930.

Capt. Joseph Ignatius Martin, Medical Corps, from October 8, 1930.

Capt. Thomas Randolph McCarley, Medical Corps, from October 12, 1930.

Capt. Alfred Mordecai, Medical Corps, from October 23, 1930.

Capt. William Presley Dingle, Medical Corps, from October 23, 1930.

Capt. James Frank Brooke, Medical Corps, from October 23, 1930.

Capt. Lester Eastwood Beringer, Medical Corps, from October 24, 1930.

Capt. David Lloyd Stewart, Medical Corps, from October 30, 1930.

Capt. John Moorhaj Tamraz, Medical Corps, from November 2, 1930.

Capt. Joseph Aaron Mendelson, Medical Corps, from November 15, 1930.

To be captains

First Lieut. James Patrick Cooney, Medical Corps, from July 17, 1930.

First Lieut. Harvey Francis Hendrickson, Medical Corps, from July 17, 1930.

First Lieut. Louis Holmes Ginn, jr., Medical Corps, from July 17, 1930.

First Lieut. Seth Gayle, jr., Medical Corps, from July 17, 1930.

First Lieut. Howard Sterling McConkie, Medical Corps, from July 23, 1930.

First Lieut. Sam Foster Seeley, Medical Corps, from August 1, 1930.

First Lieut. William Draper North, Medical Corps, from August 1, 1930.

First Lieut. Clifford Veryl Morgan, Medical Corps, from August 1, 1930.

First Lieut. William Henry Lawton, Medical Corps, from August 1, 1930.

First Lieut. James Elmo Yarbrough, Medical Corps, from August 1, 1930.

First Lieut. John Daniel Brumbaugh, Medical Corps, from August 1, 1930.

First Lieut. Abner Zehm, Medical Corps, from August 1, 1930.

First Lieut. Walter Frederick Heine, Medical Corps, from August 1, 1930.

First Lieut. Charles McCabe Downs, Medical Corps, from August 1, 1930.

First Lieut. John Winchester Rich, Medical Corps, from August 18, 1930.

First Lieut. Thomas Brown Murphy, Medical Corps, from August 18, 1930.

First Lieut. Huston J. Banton, Medical Corps, from August 18, 1930, subject to examination required by law.

First Lieut. Hervey Burson Porter, Medical Corps, from August 18, 1930.

DENTAL CORPS

To be majors

Capt. John Samuel Ross, Dental Corps, from July 4, 1930.

Capt. Elmer Henry Nicklies, Dental Corps, from July 13, 1930.

Capt. Clarence Walter Johnson, Dental Corps, from August 7, 1930.

Capt. Walter Duncan Love, Dental Corps, from August 14, 1930.

Capt. Egbert Wesley van Delden Cowan, Dental Corps, from September 3, 1930.

Capt. Arthur Edmon Brown, Dental Corps, from September 8, 1930.

Capt. Robert Clyde Craven, Dental Corps, from September 18, 1930.

Capt. Melville Alexander Sanderson, Dental Corps, from September 19, 1930.

Capt. Earl George Gebhardt, Dental Corps, from September 20, 1930.

Capt. Frank Alf Crane, Dental Corps, from September 22, 1930.

Capt. Arne Sorum, Dental Corps, from September 23, 1930.

Capt. Vivian Z. Brown, Dental Corps, from November 1, 1930.

Capt. Henry Allen Winslow, Dental Corps, from November 14, 1930.

Capt. Ernest Frank Sharp, Dental Corps, from November 17, 1930.

Capt. Clarence Roy Benney, Dental Corps, from November 21, 1930.

To be captains

First Lieut. Clarence Price Canby, Dental Corps, from July 15, 1930.

First Lieut. Roger Giles Miller, Dental Corps, from August 15, 1930.

First Lieut. Grant Arthur Selby, Dental Corps, from September 25, 1930.

First Lieut. Leland Stanford Mabry, Dental Corps, from October 26, 1930.

VETERINARY CORPS

To be first lieutenants

Second Lieut. Charles Stunkard Greer, Veterinary Corps, from October 10, 1930.

Second Lieut. John Lloyd Owens, Veterinary Corps, from October 29, 1930.

CHAPLAINS

To be chaplains with the rank of major

Chaplain Edmond Joseph Griffin, from July 3, 1930.

Chaplain Ora Jason Cohee, from October 4, 1930.

To be chaplain with the rank of captain

Chaplain Edward Robert Martin, from October 6, 1930.

PROMOTION IN THE PHILIPPINE SCOUTS

To be captain

First Lieut. John Willett Smith, Philippine Scouts, from November 1, 1930.

REAPPOINTMENT IN THE OFFICERS' RESERVE CORPS OF THE ARMY

GENERAL OFFICER

To be major general, reserves

Maj. Gen. John Francis O'Ryan, reserves, from December 15, 1930.

APPOINTMENTS IN THE OFFICERS' RESERVE CORPS OF THE ARMY

GENERAL OFFICERS

To be brigadier generals, reserves

Brig. Gen. Diller Slyder Myers, Illinois National Guard, from December 1, 1930.

Brig. Gen. John Cecil Persons, Alabama National Guard, from September 23, 1930.

Brig. Gen. Oscar Edwin Roberts, Texas National Guard, from August 18, 1930.

PROMOTIONS IN THE NAVY

MARINE CORPS

Brig. Gen. Ben H. Fuller to be the Major General Commandant of the Marine Corps for a period of four years, with rank from July 9, 1930.

Brig. Gen. Rufus H. Lane, the adjutant and inspector, to be the adjutant and inspector of the Marine Corps, with the

rank of brigadier general, for a period of four years from January 2, 1931, with rank from January 2, 1923.

Col. Randolph C. Berkeley to be a brigadier general in the Marine Corps from July 9, 1930.

Lieut. Col. Frederick A. Ramsey to be a colonel in the Marine Corps from July 9, 1930.

Lieut. Col. Walter E. Noa, assistant quartermaster, to be an assistant quartermaster in the Marine Corps with the rank of colonel from August 1, 1930.

Lieut. Col. Thomas C. Turner to be a colonel in the Marine Corps from September 1, 1930.

Lieut. Col. Raymond B. Sullivan to be a colonel in the Marine Corps from October 1, 1930.

Maj. Holland M. Smith to be a lieutenant colonel in the Marine Corps from July 9, 1930.

Maj. John R. Henley to be a lieutenant colonel in the Marine Corps from August 1, 1930.

Maj. Ralph S. Keyser to be a lieutenant colonel in the Marine Corps from September 1, 1930.

Maj. Howard W. Stone to be a lieutenant colonel in the Marine Corps from September 29, 1930.

Maj. Maurice E. Shearer to be a lieutenant colonel in the Marine Corps from October 1, 1930.

Capt. Peter C. Geyer to be a major in the Marine Corps from July 1, 1930.

Capt. James E. Davis to be a major in the Marine Corps from July 9, 1930.

Capt. Lloyd L. Leech to be a major in the Marine Corps from August 1, 1930.

Capt. Raphael Griffin to be a major in the Marine Corps from September 1, 1930.

Capt. Karl I. Buse to be a major in the Marine Corps from September 29, 1930.

Capt. Harold S. Fassett to be a major in the Marine Corps from October 1, 1930.

Capt. Arthur Kingston to be a major in the Marine Corps from November 5, 1930.

The following captains to be captains in the Marine Corps to correct the dates from which they take rank as previously nominated and confirmed:

Alfred C. Cottrell from May 12, 1929.

John T. Selden from May 13, 1929.

Elmer E. Hall from May 16, 1929.

Henry A. Carr from June 1, 1929.

Orrel A. Inman from June 2, 1929.

Frank S. Flack from June 30, 1929.

Henry F. Adams from November 12, 1929.

Charles W. Henkle from November 27, 1929.

Solon C. Kemon from December 26, 1929.

Harry B. Liversedge from December 28, 1929.

Merton J. Batchelder from January 17, 1930.

George E. Monson from February 10, 1930.

Arthur D. Challacombe from March 1, 1930.

William J. Mosher from March 2, 1930.

Harry W. Bacon from June 29, 1930.

First Lieut. Howard M. Peter to be a captain in the Marine Corps from November 5, 1929.

First Lieut. George A. Plambeck to be a captain in the Marine Corps from November 6, 1929.

First Lieut. Joseph F. Burke to be a captain in the Marine Corps from April 2, 1930.

First Lieut. Marvin Scott to be a captain in the Marine Corps from May 12, 1930.

First Lieut. James W. Flett to be a captain in the Marine Corps from June 1, 1930.

First Lieut. William C. Hall to be a captain in the Marine Corps from June 30, 1930.

First Lieut. Arnold C. Larsen to be a captain in the Marine Corps from July 1, 1930.

First Lieut. Rees Skinner to be a captain in the Marine Corps from July 9, 1930.

First Lieut. William J. Wallace to be a captain in the Marine Corps from August 1, 1930.

First Lieut. William F. Brown to be a captain in the Marine Corps from August 1, 1930.

First Lieut. Amor LeR. Sims to be a captain in the Marine Corps from September 1, 1930.

First Lieut. Moses J. Gould to be a captain in the Marine Corps from September 2, 1930.

Second Lieut. Charles G. Meints to be a first lieutenant in the Marine Corps from November 27, 1929.

Second Lieut. Alexander W. Kreiser, jr., to be a first lieutenant in the Marine Corps from December 26, 1929.

Second Lieut. Thomas J. McQuade to be a first lieutenant in the Marine Corps from January 16, 1930.

Marine Gunner Fred O. Brown to be a chief marine gunner in the Marine Corps, to rank with but after second lieutenant from October 18, 1929.

Marine Gunner Horace Talbot to be a chief marine gunner in the Marine Corps, to rank with but after second lieutenant from March 9, 1930.

Quartermaster Clerk Edward F. Connors to be a chief quartermaster clerk in the Marine Corps, to rank with but after second lieutenant from May 14, 1930.

POSTMASTERS

ALABAMA

George W. Hall to be postmaster at Calhoun, Ala. Office became presidential July 1, 1930.

James R. Beall to be postmaster at Coffeeville, Ala. Office became presidential July 1, 1930.

Sister Mary Stephen to be postmaster at Holy Trinity, Ala., in place of Sister Mary Loreto, resigned.

Edith J. Ray to be postmaster at Munford, Ala. Office became presidential July 1, 1930.

Ethel M. Fowler to be postmaster at Theodore, Ala. Office became presidential July 1, 1930.

ALASKA

Josephine C. Spickett to be postmaster at Juneau, Alaska, in place of J. C. Spickett. Incumbent's commission expired May 14, 1930.

Lillian H. White to be postmaster at Kodiak, Alaska. Office became presidential July 1, 1930.

ARIZONA

William P. Shrodt to be postmaster at Ashfork, Ariz., in place of Winchester Dickerson, resigned.

ARKANSAS

James A. Morris, jr., to be postmaster at Dermott, Ark., in place of C. G. Nielsen, deceased.

Ted M. Anderson to be postmaster at Evening Shade, Ark. Office became presidential July 1, 1930.

Urelle O. Thomasson to be postmaster at Leachville, Ark., in place of C. W. Swihart, deceased.

Jerry T. Baxter to be postmaster at Melbourne, Ark., in place of R. B. Landers. Incumbent's commission expired May 12, 1930.

Benjamin B. Horton to be postmaster at Montrose, Ark. Office became presidential July 1, 1930.

Louis D. Bledsoe to be postmaster at Mountain Pine, Ark. Office became presidential July 1, 1930.

John H. McPherson to be postmaster at Paragould, Ark., in place of Herschel Neely. Incumbent's commission expired June 12, 1930.

Vernon C. Paul to be postmaster at Parkin, Ark., in place of I. L. Carter, removed.

William H. Taylor to be postmaster at Van Buren, Ark., in place of W. H. Taylor. Incumbent's commission expired May 12, 1930.

Jesse C. Bogy to be postmaster at Wabbaseka, Ark., in place of F. W. Whitner, resigned.

William Smith to be postmaster at Wilmot, Ark., in place of N. E. deYampert. Incumbent's commission expired June 14, 1930.

CALIFORNIA

Cornelius van Kaathoven to be postmaster at Aptos, Calif. Office became presidential July 1, 1930.

Edith W. Chamblis to be postmaster at Arvin, Calif., in place of J. E. Stroud, removed.

Louis C. De Armond to be postmaster at Blairsden, Calif., in place of L. C. De Armond. Incumbent's commission expired July 2, 1930.

Alton W. Jeffus to be postmaster at Brawley, Calif., in place of Nellie Pellet. Incumbent's commission expired March 25, 1930.

Mildred O. Pickering to be postmaster at Greenfield, Calif. Office became presidential July 1, 1930.

John A. Liggett to be postmaster at Korbelt, Calif., in place of J. A. Liggett. Incumbent's commission expired December 21, 1929.

Leonard P. Russell to be postmaster at Maricopa, Calif., in place of U. S. Bock, resigned.

Marie J. Smoot to be postmaster at Mendota, Calif. Office became presidential July 1, 1930.

Vin I. Renick to be postmaster at Owensmouth, Calif., in place of Frank Fesler. Incumbent's commission expired December 21, 1929.

Emma Kessler to be postmaster at San Lorenzo, Calif. Office became presidential July 1, 1930.

Franklin B. Holder to be postmaster at Santee, Calif. Office became presidential July 1, 1930.

James E. Pharr to be postmaster at Scotia, Calif., in place of J. E. Pharr. Incumbent's commission expired July 2, 1930.

Rosa A. Printz to be postmaster at Simi, Calif. Office became presidential July 1, 1930.

Daisy L. Plant to be postmaster at Spreckels, Calif. Office became presidential July 1, 1930.

Theodore W. Cox to be postmaster at Westmoreland, Calif., in place of M. K. Cummings, deceased.

COLORADO

George F. Wilson to be postmaster at Phippsburg, Colo. Office became presidential July 1, 1930.

Fred M. Marsh to be postmaster at Wellington, Colo., in place of F. D. Aldridge, removed.

CONNECTICUT

James W. Gilson to be postmaster at Hartford, Conn., in place of H. K. Taylor, resigned.

Frank E. Collins to be postmaster at Rockfall, Conn. Office became presidential July 1, 1930.

Inez J. Standish to be postmaster at Somersville, Conn., in place of M. L. Van Camp, resigned.

FLORIDA

William B. Wingate to be postmaster at Callahan, Fla., in place of W. B. Wingate. Incumbent's commission expired March 11, 1930.

Isabelle H. Boyd to be postmaster at Clermont, Fla., in place of J. H. Boyd. Incumbent's commission expired January 8, 1930.

William T. Graves to be postmaster at Cottondale, Fla., in place of W. T. Graves. Incumbent's commission expired January 8, 1930.

Edgar M. Pyle to be postmaster at Dania, Fla., in place of I. C. Williams. Incumbent's commission expired April 10, 1930.

Pauline F. Colley to be postmaster at Florence Villa, Fla., in place of P. F. Colley. Incumbent's commission expired December 18, 1929.

Albertus A. Kurfiss to be postmaster at Groveland, Fla., in place of J. H. Trent, resigned.

Donald A. Flye to be postmaster at Haines City, Fla., in place of D. A. Flye. Incumbent's commission expired February 15, 1930.

Henry G. Nelson to be postmaster at Williston, Fla., in place of H. G. Nelson. Incumbent's commission expired January 28, 1930.

Fred E. Hall to be postmaster at Winter Haven, Fla., in place of E. J. Yonally. Incumbent's commission expired January 25, 1930.

GEORGIA

Gladys E. Love to be postmaster at Marshallville, Ga., in place of J. V. Frederick, deceased.

IDAHO

Berkeley R. Sellers to be postmaster at Gibbs, Idaho. Office became presidential July 1, 1930.

ILLINOIS

Ray R. Staubus to be postmaster at Cissna Park, Ill., in place of John Reineke. Incumbent's commission expired December 18, 1929.

James E. Lee to be postmaster at Findlay, Ill., in place of W. W. Harbert, resigned.

Gustav C. Michael to be postmaster at Hoyleton, Ill., in place of L. F. Hake. Incumbent's commission expired May 14, 1930.

Archie A. Colby to be postmaster at Lee, Ill. Office became presidential July 1, 1930.

Oscar M. Phares to be postmaster at Le Roy, Ill., in place of P. D. Barnum. Incumbent's commission expired May 18, 1930.

Arlington B. Gittings to be postmaster at Lomax, Ill., in place of W. R. Gaddis, resigned.

Mary Smith to be postmaster at North Aurora, Ill. Office became presidential July 1, 1930.

Jacob A. Hirsbrunner to be postmaster at Olivet, Ill., in place of J. A. Hirsbrunner. Incumbent's commission expired July 2, 1930.

George W. Martin to be postmaster at St. Anne, Ill., in place of G. F. Allain. Incumbent's commission expired March 1, 1930.

John Gray to be postmaster at Urbana, Ill., in place of O. L. Browder, resigned.

INDIANA

Harry C. Watts to be postmaster at Aurora, Ind., in place of H. C. Watts. Incumbent's commission expired June 16, 1930.

Charles W. Bard to be postmaster at Crothersville, Ind., in place of E. W. Krause, resigned.

Clyde H. Siekerman to be postmaster at Dillsboro, Ind., in place of C. H. Siekerman. Incumbent's commission expired June 16, 1930.

William C. Seng to be postmaster at Dubois, Ind. Office became presidential July 1, 1930.

Fred E. May to be postmaster at Haubstadt, Ind., in place of C. H. Magenheimer. Incumbent's commission expired January 6, 1930.

Claude B. Thomas to be postmaster at Moores Hill, Ind., in place of C. B. Thomas. Incumbent's commission expired July 2, 1930.

Francis W. Homan to be postmaster at Reynolds, Ind., in place of J. W. Gardner, deceased.

Robert P. White to be postmaster at Sullivan, Ind., in place of R. P. White. Incumbent's commission expired July 2, 1930.

IOWA

Leah F. Cookinham to be postmaster at Ayrshire, Iowa, in place of C. H. Cookinham, deceased.

Tena S. Healy to be postmaster at Britt, Iowa, in place of C. F. Wigton. Incumbent's commission expired March 16, 1930.

Elsie Sierck to be postmaster at Everly, Iowa, in place of Elsie Sierck. Incumbent's commission expired June 30, 1930.

Raymond F. Sargent to be postmaster at Fonda, Iowa, in place of R. F. Sargent. Incumbent's commission expired January 8, 1930.

Alva M. Kepler to be postmaster at Kalona, Iowa, in place of F. E. Bourgeois. Incumbent's commission expired March 8, 1930.

Lera Hinzman to be postmaster at Riceville, Iowa, in place of F. E. Dunton, deceased.

Charles H. Swisher to be postmaster at Sully, Iowa. Office became presidential July 1, 1930.

Cora J. Jacobsen to be postmaster at Wilton Junction, Iowa, in place of C. H. Jacobsen, resigned.

KANSAS

Otis N. Taylor to be postmaster at Kanorado, Kans., in place of L. F. Heston, resigned.

Tom W. Davis to be postmaster at Shawnee, Kans. Office became presidential July 1, 1930.

KENTUCKY

Luther S. Safriet to be postmaster at Gatliff, Ky. Office became presidential July 1, 1930.

Phoebe Howard to be postmaster at Salyersville, Ky., in place of Phoebe Howard. Incumbent's commission expired July 2, 1930.

Lisle B. Hanna to be postmaster at Shelbyville, Ky., in place of S. C. Hedden. Incumbent's commission expired July 2, 1930.

Russell M. Tewell to be postmaster at Walton, Ky., in place of A. R. Edwards, resigned.

LOUISIANA

Richard E. Bynum to be postmaster at Arabi, La., in place of N. R. Mysing. Incumbent's commission expired March 2, 1930.

Isaac C. Fife to be postmaster at Bastrop, La., in place of Tina Collins. Incumbent's commission expired January 29, 1930.

Jay T. Boone to be postmaster at Boyce, La., in place of J. T. Boone. Incumbent's commission expired January 18, 1930.

Paul T. Thibodaux to be postmaster at Donaldsonville, La., in place of P. T. Thibodaux. Incumbent's commission expired May 17, 1930.

Irma M. Perret to be postmaster at Edgard, La. Office became presidential July 1, 1930.

Viola H. Reed to be postmaster at Epps, La. Office became presidential July 1, 1930.

Robert S. Butler to be postmaster at Port Allen, La., in place of Cherie Cazes. Incumbent's commission expired June 14, 1930.

Mary J. Goodwine to be postmaster at St. Joseph, La., in place of E. H. Biggs, resigned.

Robert E. Loudon to be postmaster at Zachary, La., in place of R. E. Loudon. Incumbent's commission expired June 19, 1930.

MAINE

Edward H. Snow to be postmaster at Blue Hill, Me., in place of H. A. Saunders, deceased.

Harland G. Hoffses to be postmaster at Jefferson, Me. Office became presidential July 1, 1930.

Nettie A. True to be postmaster at New Gloucester, Me. Office became presidential July 1, 1930.

MASSACHUSETTS

Esther K. Whitcomb to be postmaster at Bolton, Mass., in place of C. M. Everett, resigned.

Alexander F. Gray to be postmaster at Charles River, Mass. Office became presidential July 1, 1930.

Margaret Poole to be postmaster at Island Creek, Mass. Office became presidential July 1, 1930.

Edward F. Earle to be postmaster at Rehoboth, Mass. Office became presidential July 1, 1930.

Hattie M. Crowell to be postmaster at South Yarmouth, Mass., in place of J. W. Crowell, deceased.

MICHIGAN

Roy Kanouse to be postmaster at Ashton, Mich. Office became presidential July 1, 1930.

George P. Siagkris to be postmaster at Base Line, Mich. Office became presidential July 1, 1930.

Harry L. Hansen to be postmaster at Big Bay, Mich., in place of H. C. D. Ashford, resigned.

Thomas B. Townsend to be postmaster at Grand Ledge, Mich., in place of A. J. Bills. Incumbent's commission expired April 28, 1930.

Hans Kunow to be postmaster at Greenbush, Mich. Office became presidential July 1, 1930.

George A. McNicol to be postmaster at Hillman, Mich., in place of G. A. McNicol. Incumbent's commission expired December 15, 1929.

Harry J. Skinner to be postmaster at McMillan, Mich. Office became presidential July 1, 1930.

Claude W. Till to be postmaster at Mears, Mich. Office became presidential July 1, 1930.

Bessie Dunbar to be postmaster at Potterville, Mich. Office became presidential July 1, 1930.
 Merle E. Houghtby to be postmaster at Spring Arbor, Mich. Office became presidential July 1, 1930.

MINNESOTA

Harold E. Bowers to be postmaster at Benson, Minn., in place of E. A. Hanson, deceased.
 Vivv Johnson to be postmaster at Richville, Minn., in place of E. R. Tucker, removed.

MISSISSIPPI

William R. Anderson to be postmaster at Baldwyn, Miss., in place of T. J. Davis. Incumbent's commission expired February 21, 1929.

J. Rivers Burks to be postmaster at Byhalia, Miss., in place of G. D. Myers. Incumbent's commission expired January 5, 1930.

John R. Childress to be postmaster at Flora, Miss., in place of J. E. Lane. Incumbent's commission expired January 5, 1930.

Everett T. Batten to be postmaster at Hattiesburg, Miss., in place of E. A. Kernaghan. Incumbent's commission expired February 23, 1930.

Jefferson D. Fogg to be postmaster at Hernando, Miss., in place of J. D. Fogg. Incumbent's commission expired February 16, 1929.

George H. Flowers to be postmaster at Kilmichael, Miss., in place of G. H. Flowers. Incumbent's commission expired June 7, 1930.

Allan McCants to be postmaster at Meridian, Miss., in place of C. J. Hyde. Incumbent's commission expired February 23, 1930.

Benjamin C. Feigler to be postmaster at Philipp, Miss., in place of B. C. Feigler. Incumbent's commission expired July 2, 1930.

William J. Peel to be postmaster at Shaw, Miss., in place of Elizabeth Collier, resigned.

Herbert G. Laudon to be postmaster at Waveland, Miss. Office became presidential July 1, 1930.

Ida M. Turnage to be postmaster at Zama, Miss., in place of I. M. Turnage. Incumbent's commission expired July 2, 1930.

MISSOURI

Laura J. England to be postmaster at Glenwood, Mo. Office became presidential July 1, 1930.

Curtis N. Houston to be postmaster at Grain Valley, Mo., in place of R. C. Remley. Incumbent's commission expired December 18, 1929.

Henry E. Folluo to be postmaster at Manchester, Mo., in place of O. W. Kuehne, deceased.

Raymond J. Tomlinson to be postmaster at Morley, Mo., in place of Leonard Ford. Incumbent's commission expired February 6, 1930.

Amiel A. Weitkamp to be postmaster at Moscow Mills, Mo. Office became presidential July 1, 1930.

Lawrence L. Glover to be postmaster at Newark, Mo., in place of L. L. Glover. Incumbent's commission expired May 20, 1930.

MONTANA

Lyman E. Ferry to be postmaster at Somers, Mont., in place of A. M. Engle, removed.

Harrison M. Sperry to be postmaster at Townsend, Mont., in place of W. J. Hazelton, removed.

NEBRASKA

Irving E. Tilgner to be postmaster at Lewellen, Nebr., in place of L. O. Roblee, resigned.

NEVADA

Vincent J. Ruse to be postmaster at Goldfield, Nev., in place of B. M. Weaver, resigned.

NEW HAMPSHIRE

Lena F. Carr to be postmaster at Bradford, N. H., in place of R. S. Moore, resigned.

Carroll N. Young to be postmaster at West Stewartstown, N. H., in place of F. H. Elliott, resigned.

NEW JERSEY

Louis A. Streit to be postmaster at East Orange, N. J., in place of L. A. Streit. Incumbent's commission expired January 13, 1930.

Elizabeth MacBrair to be postmaster at Essex Fells, N. J., in place of E. C. Woodworth, resigned.

Evelyn Cubberley to be postmaster at Hamilton Square, N. J., in place of M. E. Cubberley, deceased.

Horatio N. Denby to be postmaster at Laurel Springs, N. J., in place of E. D. McGarrey, resigned.

Caddie F. Olt to be postmaster at Marlton, N. J., in place of A. M. Harkness, removed.

Mary F. Beach to be postmaster at Montville, N. J. Office became presidential July 1, 1930.

Carl M. Ekholm to be postmaster at Neshanic Station, N. J., in place of D. C. R. Hoff, resigned.

Sanford W. Souders to be postmaster at Riegelsville, N. J. Office became presidential July 1, 1930.

August A. Kleuser to be postmaster at Singac, N. J., in place of Robert Young, appointee, declined.

Lester L. Jacobus to be postmaster at Towaco, N. J. Office became presidential July 1, 1930.

J. Wynne Kelley to be postmaster at Tuckerton, N. J., in place of C. R. Cox, resigned.

Tunis Sweetman to be postmaster at Wortendyke, N. J., in place of H. A. Depuy, resigned.

NEW MEXICO

Emmet Wirt to be postmaster at Dulce, N. Mex. Office became presidential July 1, 1930.

Gertrude W. Boyd to be postmaster at New Hobbs, N. Mex. Office became presidential October 1, 1930.

NEW YORK

Frank P. Redfield to be postmaster at Adams, N. Y., in place of D. F. Griggs, resigned.

M. Romiett Masten to be postmaster at Athens, N. Y., in place of C. L. Masten, deceased.

Fred A. Shoemaker to be postmaster at Averill Park, N. Y., in place of F. A. Shoemaker. Incumbent's commission expired February 18, 1930.

Caroline K. Lenz to be postmaster at Cheektowaga, N. Y. Office became presidential July 1, 1930.

Ogden L. Harding to be postmaster at Chenango Bridge, N. Y. Office became presidential July 1, 1930.

Ella E. Lewis to be postmaster at Clarkson, N. Y. Office became presidential July 1, 1930.

Arthur N. Fero to be postmaster at Esperance, N. Y. Office became presidential July 1, 1930.

Avery H. Wilcox to be postmaster at Gasport, N. Y., in place of G. D. Ackerson. Incumbent's commission expired January 29, 1930.

Leon A. Currey to be postmaster at Geneva, N. Y., in place of R. H. Gulvin. Incumbent's commission expired April 5, 1930.

Mary E. Redman to be postmaster at Hamlin, N. Y., in place of M. E. Redman. Incumbent's commission expired July 2, 1930.

Robert A. Montague to be postmaster at Henderson, N. Y., in place of M. B. McCumber, deceased.

Joseph N. Atwater to be postmaster at King Ferry, N. Y. Office became presidential July 1, 1930.

Edward L. Merritt to be postmaster at Kingston, N. Y., in place of W. P. Crane. Incumbent's commission expired February 13, 1928.

Wayne G. Vary to be postmaster at Lima, N. Y., in place of V. E. Taylor. Incumbent's commission expired June 10, 1930.

Arnol G. H. Bryan to be postmaster at Loudonville, N. Y. Office became presidential July 1, 1930.

Emery Jenkins to be postmaster at Margaretville, N. Y., in place of G. E. Gladstone, deceased.

Frank C. Percival to be postmaster at Mount Upton, N. Y. Office became presidential July 1, 1930.

George C. Smith to be postmaster at Pine Hill, N. Y., in place of H. A. Cole, deceased.

Minnie F. Anderson to be postmaster at Randolph, N. Y., in place of F. L. Seager, resigned.

OKLAHOMA

Gail E. Wing to be postmaster at Camargo, Okla., in place of G. E. Wing. Incumbent's commission expired July 2, 1930.

George Wehrenberg to be postmaster at Lovell, Okla. Office became presidential July 1, 1930.

PENNSYLVANIA

Marshall Troutman to be postmaster at Clearville, Pa. Office became presidential July 1, 1930.

Alice B. Carrick to be postmaster at Loupurex, Pa. Office became presidential July 1, 1930.

Thomas McLeister to be postmaster at Philadelphia, Pa., in place of G. E. Kemp, resigned.

John H. Watson to be postmaster at Turtle Creek, Pa. Office established July 1, 1929.

RHODE ISLAND

Oscar R. Parr to be postmaster at Chepachet, R. I. Office became presidential July 1, 1930.

James F. Harrod to be postmaster at Wallum Lake, R. I. Office became presidential July 1, 1930.

Grace S. Croome to be postmaster at West Kingston, R. I. Office became presidential July 1, 1930.

SOUTH CAROLINA

George E. Munn to be postmaster at Lake City, S. C., in place of E. L. Isenhower, resigned.

Mary E. Morris to be postmaster at Pickens, S. C., in place of E. D. Kirksey. Incumbent's commission expired February 6, 1930.

Ira S. Holden to be postmaster at Walhalla, S. C., in place of W. B. Aull. Incumbent's commission expired June 12, 1930.

TENNESSEE

Charles H. Bewley to be postmaster at Greeneville, Tenn., in place of C. H. Bewley. Incumbent's commission expires December 20, 1930.

Alexander H. Hill to be postmaster at Harrogate, Tenn., in place of John Herd. Incumbent's commission expired January 29, 1930.

Oren B. Zachry to be postmaster at Livingston, Tenn., in place of T. F. Stephens, deceased.

TEXAS

Austin Davis to be postmaster at Cushing, Tex., in place of W. B. McCrary, deceased.

James Flanagan to be postmaster at Mabank, Tex., in place of Lee Gray. Incumbent's commission expired March 30, 1930.

Ruel D. Dunn to be postmaster at Plano, Tex., in place of C. D. Rasor, removed.

Mamie Dyer to be postmaster at Tolar, Tex., in place of Mamie Dyer. Incumbent's commission expired March 15, 1930.

WASHINGTON

Charles T. LeWarne to be postmaster at Bellevue, Wash., in place of R. E. Blackwood, resigned.

Walter M. Hubbell to be postmaster at Spokane, Wash., in place of T. J. Smith, deceased.

WISCONSIN

Edgar Leissring to be postmaster at New Butler, Wis. Office became presidential July 1, 1930.

HOUSE OF REPRESENTATIVES

WEDNESDAY, DECEMBER 3, 1930

The House met at 12 o'clock, noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Infinite Power of Love, we praise Thee that a new day is full of sublime significance. It is the breath of God flowing out of one eternity into another. Let to-day smile to greet us with new opportunities for doing good and being good. Thou who knowest the unexpressed desires of every heart, grant us the things that are good and helpful. Give us the power of realizing more of that which belongs to our

spiritual natures; let us feel the tremulous touches of heavenly joy. Always may character and conscience have their ways in the defense of the Republic and in the perpetuity of righteous government. In the name of our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed the following resolutions:

Senate Resolution 343

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. CHARLES F. CURRY, late a Representative from the State of California.

Resolved, That the Secretary communicate these resolutions to House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now adjourn.

Senate Resolution 344

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JOHN FRANCIS QUAYLE, late a Representative from the State of New York.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

Senate Resolution 345

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. CHARLES M. STEDMAN, late a Representative from the State of North Carolina.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now adjourn.

Senate Resolution 346

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WILLIAM C. HAMMER, late a Representative from the State of North Carolina.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now adjourn.

Senate Resolution 347

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. OTIS WINGO, late a Representative from the State of Arkansas.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now adjourn.

THE REPUBLICAN RECORD

Mr. KORELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the tariff.

The SPEAKER. The gentleman from Oregon asks unanimous consent to extend his remarks in the RECORD on the tariff. Is there objection?

There was no objection.

Mr. KORELL. Mr. Speaker, the recent election was in many respects unique. Since my return to Washington I have found that many of my colleagues are inquisitive to learn about the particular issues that were stressed in the congressional campaigns throughout the country. Accordingly, under leave to extend my remarks, I will restate the substance of several talks that I made in the course of my own campaign in the third Oregon congressional district.

THE TARIFF

After months of painstaking study on the part of a great many statesmen and after a great deal of debate the tariff bill has been passed and has become the law of the land.

Perhaps never in the history of the Republic has a tariff bill been subject to such bitter attack, to so much vituperation and misrepresentation. All sorts of arguments were brought against the proposed bill, and the attacks in many of the metropolitan newspapers of the East, inspired by various interests, continued down to the day the bill was signed by President Hoover. Many charges were misleading